

1999 DRAFTING REQUEST

Assembly Amendment (AA-AB133)

Received: **04/21/99**

Received By: **grantpr**

Wanted: **As time permits**

Identical to LRB:

For: **Legislative Fiscal Bureau 6-5996**

By/Representing: **Larsen**

This file may be shown to any legislator: **NO**

Drafter: **grantpr**

May Contact:

Alt. Drafters: **kunkemd**

Subject: **Higher Education - miscellaneous**

Extra Copies:

Pre Topic:

LFB:.....Larsen -

Topic:

Transfer educational approval board to dept. of veterans affairs

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 04/22/99	chanaman 04/22/99		_____			
/1			hhagen 04/26/99	_____	lrb_docadmin 04/26/99		
/2	grantpr 06/1/99	chanaman 06/1/99	jfrantze 06/2/99	_____	lrb_docadmin 06/2/99		
/3	grantpr 06/3/99	chanaman 06/4/99	martykr 06/6/99	_____	lrb_docadmin 06/7/99		

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/2	grantpr 06/1/99	chanaman 06/1/99	jfrantze 06/2/99	_____	lrb_docadmin 06/2/99		

FE Sent For:

Handwritten signatures and initials:
 Jmcy
 mme 6/4
 dm

<END>

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FE Sent For:		<i>1/2</i>	<i>Stb/1</i>	<i>Stg</i>	<i>Kim</i>		<END>

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1?	grantpr	cmh /1 4/22	cmh 4/22	cmh /F 4/22			

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<END>



Legislative Fiscal Bureau

One East Main, Suite 301 • Madison, WI 53703 • (608) 266-3847 • Fax: (608) 267-6873

Date: 4/21/99

DELIVER TO: Mark Kunkel

Addressee Fax #: _____ Addressee Phone #: _____

of Pages, Including Cover: 7 Sender's Initials: ML

From: Merry Larsen

Message:

Mark,
Here is the paper on EAB I told you
about on your voice mail. The Committee
adopted alternatives 3 and 5.
If you have any questions, give me a call.
Thanks,
Merry

**Legislative Fiscal Bureau**

One East Main, Suite 301 • Madison, WI 53703 • (608) 266-3847 • Fax: (608) 267-6873

April 20, 1999

Joint Committee on Finance

Paper #572

Transfer of Educational Approval Board (HEAB)

[LFB 1999-01 Budget Summary: Page 359, #14 and page 636, #5]

CURRENT LAW

The Educational Approval Board (EAB), which is attached to the Higher Educational Aids Board (HEAB) for administrative purposes, has two primary functions. The first is to approve education and training programs for veterans receiving assistance from the federal government. The second function is to regulate certain private postsecondary schools that offer programs to Wisconsin residents. These schools include: (a) all for-profit schools; (b) in-state nonprofit postsecondary schools incorporated after January, 1992; (c) all out-of-state nonprofit colleges and universities.

GOVERNOR

On the effective date of the bill, eliminate the Educational Approval Board and transfer its functions related to the approval of veterans' education and training programs to the Department of Veterans Affairs (DVA); transfer all other EAB functions to HEAB. Create an Educational Approval Council that would be attached to HEAB and provide that the Council's membership would be identical to the membership of EAB. Require HEAB to consult with the Council in carrying out its duties relating to those functions of EAB transferred to HEAB.

Transfer 3.0 FED positions from EAB to DVA and 4.0 PR positions and 1.0 PR project position from EAB to HEAB. Transfer to each agency the incumbent employees holding those positions. Delete the EAB Executive Secretary position, which is a 0.5 PR and 0.5 FED position. Modify the current 1.0 GPR Deputy Executive Secretary position for HEAB so that it would be 50% GPR and 50% PR funded.

Transfer \$222,900 FED in 1999-00 and \$224,900 FED in 2000-01 to DVA to reflect the transfer of EAB functions related to the approval of veterans education programs. Delete

\$34,500 GPR, \$5,600 PR and \$40,100 FED annually to reflect the net effect of eliminating the EAB Executive Secretary position and modifying the funding source for the HEAB Deputy Executive Secretary position.

Require DVA and HEAB to jointly determine the employees to be transferred to each agency and to develop and implement a plan for the orderly transfer of the employees. Specify that in the event of a disagreement between HEAB and DVA, the Secretary of Administration would decide the question. Provide that the employees transferred would retain all employment rights and status they held prior to the transfer and that no transferred employee who had attained permanent status in the classified service would be required to serve a new probationary period.

DISCUSSION POINTS

1. By statute, the Educational Approval Board consists of not more than seven members who are appointed by, and serve at the pleasure of, the Governor. Board members must be "representatives of state agencies and other persons with a demonstrated interest in educational programs." The primary activities of the Board include: (a) approving and supervising courses for veterans' education programs offered in more than 240 colleges, universities, technical colleges, proprietary schools, hospitals and police academies; (b) reviewing and approving license applications from over 120 proprietary schools and establishing minimum standards for the schools' programs, facilities, instructors, tuition and fees and refund policies; and (c) issuing permits to solicitors representing schools.

2. Prior to 1997, EAB was attached for administrative purposes to the Wisconsin Technical College System (WTCS) Board. The transfer of the Board from WTCS to HEAB was proposed by the Governor in the 1997-99 state budget. At the time, it was argued that EAB's functions were more aligned with HEAB than with WTCS.

3. The Board's funding is derived entirely from a contract with the federal Veterans Administration and license fees charged to proprietary schools. To carry out its duties, EAB is authorized a staff of 9.0 FTE positions (3.5 FED positions, 4.5 PR positions and 1.0 PR project position) including an Executive Secretary, five education specialists and two program assistants. The responsibilities of the 5.0 FTE education specialist positions include: reviewing proprietary school license applications; assessing program quality and financial stability; visiting schools to inspect academic and financial records; and responding to, and investigating complaints from students.

4. In order to receive education benefits through the federal Veterans Administration, an eligible individual must be enrolled in a program that has been approved by EAB in its role as the designated "state approving agency." Under the bill, this function would be served by DVA. The transfer of EAB functions related to the approval of veterans' education and training programs was initially proposed by DVA in its 1999-01 biennial budget request. The Department, which is charged with providing services to Wisconsin veterans, administers several loan and grant programs for eligible veterans including three education grant programs. Administration and DVA officials

contend that the functions of EAB related to veterans' education programs would complement other DVA services and that transferring these responsibilities to DVA would result in more efficient delivery of services to Wisconsin's veterans.

5. The bill would transfer EAB functions associated with the approval and licensure of proprietary schools to HEAB. EAB would be eliminated and in its place, an Educational Approval Council would be established for the purpose of advising the Higher Educational Aids Board regarding its school approval responsibilities. It is argued that general policies and procedures relating to school approval are not likely to change significantly since the membership of the Council would be identical to that of the current Board and incumbent EAB employees would be transferred to HEAB.

6. Under the bill, the EAB Executive Secretary position would be eliminated and 50% of the funding for the HEAB Deputy Executive Secretary position would be transferred from GPR to program revenues derived from proprietary school license fees. It is assumed that the responsibilities of the Deputy would include oversight of the functions and staff members that would be transferred from EAB. The transfer of funding for the Deputy position from GPR to PR, which is currently vacant, would result in savings of \$34,500 GPR annually.

7. Funding and position authority for HEAB's Deputy position was provided in the 1997-99 budget adjustment act (1997 Act 237). The position was originally deleted in the 1995-97 state budget which also would have eliminated HEAB and transferred its functions to a new Department of Education. While the 1997-99 state budget recreated the Board, it did not restore funding and position authority for the Deputy position. Since the position has remained vacant since it was authorized in Act 237, it could be argued that the remaining 0.5 GPR position could be deleted, which would result in additional savings of \$34,500 GPR annually. In this case, the 0.5 PR position that under the bill would be part of the unclassified deputy position could be changed to be a 0.5 PR classified position for functions associated with the approval and licensure of proprietary schools.

8. Based on position descriptions provided by EAB, it appears that separating the two functions of the agency would not present significant difficulties in determining the allocation of incumbent employees between DVA and HEAB. Three of the five education specialists currently devote 100% of their time to one or the other function. The remaining two education specialists work primarily in the proprietary school approval area with a relatively small portion of their time, 10% and 20%, respectively, allocated for veterans' programs.

9. According to EAB staff, over the past few years, the two roles of the Board have become more integrated. EAB currently uses one application for schools seeking licensure or approval to offer veterans' education programs and many of the procedures followed by EAB staff in reviewing veterans programs are also used to review and evaluate schools seeking licensure. In addition, EAB staff indicate that veterans are increasingly selecting schools that offer degrees or certificates below the baccalaureate level, many of which are proprietary schools and out-of-state schools. Currently, 23 of the approved veterans' programs are offered by proprietary schools licensed by EAB. For these reasons, it has been argued that separating the two functions of EAB

would result in inefficiencies in program administration.

10. Under current law, HEAB is responsible for administering financial aid programs for students attending primarily UW campuses, technical colleges and private, nonprofit colleges that are not required to be licensed by EAB. HEAB consists of 11 members including the State Superintendent of Public Instruction, one public member and three representatives each from the UW System, WTCS and private nonprofit colleges. Under the bill, the proposed Educational Approval Council would serve in an advisory capacity. However, HEAB would be ultimately responsible for policy decisions relating to proprietary school approval. Opponents of the Governor's proposal have expressed concern that HEAB members may have little or no experience with, or knowledge of, the schools currently regulated by EAB and their students.

11. The EAB offices are currently located in the same building that houses HEAB staff. The proposed transfer would result in an additional cost to move certain staff to the DVA offices. The bill would not provide additional funds for this purpose. While neither DOA nor EAB has estimated the cost of such a move, HEAB records indicate that when the EAB offices were moved from the west side of Madison to their current downtown location in 1997, the total cost of the move was \$12,100, including \$8,500 in start-up costs charged by HEAB for the transfer of personnel records. The entire cost was absorbed by EAB.

12. A proposal that has been offered as an alternative to the Governor's recommendation would be to maintain EAB as it is currently structured and transfer its attachment from HEAB to DVA. The relationship between EAB and DVA would be the same as the current relationship between EAB and HEAB. That is, EAB would function as an independent board and would maintain its dual role as the state approving agency for veterans' education and training programs and the agency responsible for regulating proprietary schools. Limited administrative functions such as accounting and payroll, would be performed by DVA. Proponents of this proposal argue that it would permit more interaction between DVA and EAB staff responsible for veterans' programs while preserving the current efficiencies resulting from the integration of the two functions and maintaining consistency in the policy decisions of the agency.

13. Officials at DVA indicate that the Department has not taken an official position on the proposal to transfer EAB and all of its functions and staff to DVA. However, this proposal would result in a significantly different role for DVA than that requested by the Department since EAB would continue to function as the policy-making body in the approval of veterans' education and training programs.

ALTERNATIVES

Guard AH. 2
 Prince AH 3.5

1. *Governor's Recommendation.* Approve the Governor's recommendation to eliminate EAB and transfer the Board's functions and incumbent employees, except the Executive Secretary, to DVA and HEAB.

2. *Governor's Recommendation Modified to Delete 0.5 Position.* Modify the Governor's recommendation by deleting an additional \$34,500 GPR and 0.5 GPR unclassified

position annually to reflect the elimination of the HEAB Deputy Executive Secretary position. Shift a proposed 0.5 PR unclassified deputy position to be a 0.5 PR classified administrative manager position for functions associated with the approval and licensure of proprietary schools.

Alternative 2	GPR
1999-01 FUNDING (Change to Bill)	- \$69,000
2000-01 POSITIONS (Change to Bill)	- 0.50

39.51

3. *Attach EAB to DVA for Administrative Purposes.* Modify the Governor's recommendation by restoring the Educational Approval Board and transferring all of the functions and incumbent employees of EAB from HEAB to DVA on the effective date of the bill. Restore statutory authorization for EAB to employ an Executive Secretary and make the following funding and position adjustments: (a) provide \$40,100 PR and \$40,100 FED annually and 0.5 PR and 0.5 FED position beginning in 1999-00 to DVA to restore the position and funding for the Executive Secretary of EAB; (b) transfer \$326,200 PR in 1999-00 and \$328,200 PR in 2000-01 and 4.0 PR positions and 1.0 PR project position beginning in 1999-00 from HEAB to DVA; and (c) modify HEAB funding and positions by \$34,500 GPR and -\$34,500 PR annually and 0.5 GPR and -0.5 PR position beginning in 1999-00 to restore the GPR position and funding and delete the related PR position and funding for the Deputy Executive Secretary at HEAB.

Alternative 3	GPR	FED	PR	TOTAL
1999-01 FUNDING (Change to Bill)	\$69,000	\$80,200	\$11,200	\$160,400
2000-01 POSITIONS (Change to Bill)	0.50	0.50	0.00	1.00

4. *Restore Current Law.* Delete the Governor's recommendation. To accomplish this, the following funding and position adjustments would be made: (a) transfer \$222,900 FED in 1999-00 and \$224,900 FED in 2000-01 and 3.0 FED positions beginning in 1999-00 from DVA to HEAB; (b) provide \$40,100 PR and \$40,100 FED annually and 0.5 PR and 0.5 FED position beginning in 1999-00 to HEAB to restore the position and funding for the Executive Secretary of EAB; and (c) modify HEAB funding and positions by \$34,500 GPR and -\$34,500 PR annually and 0.5 GPR and -0.5 PR position beginning in 1999-00 to restore the GPR position and funding and delete the related PR position and funding for the Deputy Executive Secretary at HEAB.

Alternative 4	GPR	FED	PR	TOTAL
1999-01 FUNDING (Change to Bill)	\$69,000	\$80,200	\$11,200	\$160,400
2000-01 POSITIONS (Change to Bill)	0.50	0.50	0.00	1.00

5. *Delete HEAB Deputy Executive Secretary Position.* In addition to Alternatives #3 or #4, delete \$69,000 GPR and 1.0 GPR position annually to remove position authority and funding for the HEAB Deputy Executive Secretary position.

14/ #3, would save \$69,000 GPR.
or #4,

<u>Alternative 5</u>	<u>GPR</u>
1999-01 FUNDING (Change to Bill)	-\$138,000
2000-01 POSITIONS (Change to Bill)	- 1.00

Prepared by: Merry Larsen

Burke 3 + 5

MO#	3	5
Burke	X	Z
Decker	X	Z
Jauch	X	Z
Moore	X	Z
Plache	X	Z
Wirch	X	Z
Cowles	X	Z
Panzer	X	Z
Gard	X	Z
Porter	X	Z
Kaufert	X	Z
Albers	X	Z
Duff	X	Z
Ward	X	Z
Huber	X	Z
Riley	X	Z

16 - 0

39.57 x-ref

✓ 16.29(1)(b)

✓ 20.235(3)(g) (3) → 20.485(5)

✓ 29.506(7m)(a)

✓ 71.05(6)(b) 28. (intro.)

✓ 182.028

✓ 440.982(1)(b)

✓ 944.21(8)(b) 3-a.

✓ 948.11(4)(b) 3-a.

1999

Date (time) needed soon

LRB b 0124, 1

**LFB BUDGET AMENDMENT
[ONLY FOR LFB]**

PG & MDK: CMM: _____

See form **AMENDMENTS — COMPONENTS & ITEMS.**

**LFB AMENDMENT
TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45**

>>FOR JT. FIN. SUB. — NOT FOR INTRODUCTION<<

At the locations indicated, amend the bill as follows:

#. Page 126, line 3: *delete that line.*

#. Page 131, line 15: *delete "15.677" and substitute*
15.677

#. Page 131, line 15: *delete lines 15 to 21 and substitute:*

#. Page, line:

#. Page, line:

#. Page, line:

40m
renumbered 15.495 and
Section #. 15.675 of the statutes is amended to read:

(B)
15.495
~~15.675~~ Same; attached board. (1) EDUCATIONAL APPROVAL BOARD. There is created an educational approval board which is attached to the ~~higher educational aids board~~ under s. 15.03. The board shall consist of not more than 7 members, who shall be representatives of state agencies and other persons with a demonstrated interest in educational programs, appointed to serve at the pleasure of the governor.))

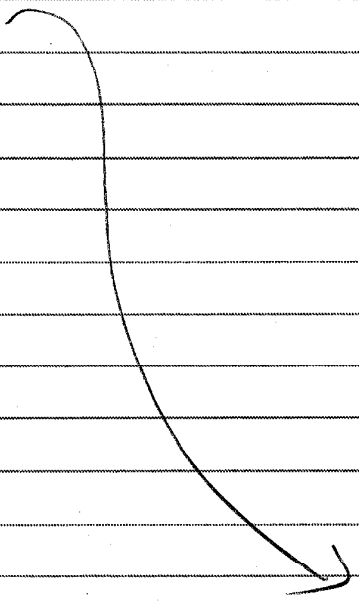
History: 1997 a. 27.

department of
veterans affairs

Page 134, line 18: delete that line and
substitute "the educational approval board
under s. ~~35.51~~ 45.54."

Page 390, line 18: delete lines 18 to 20 and
substitute :

"SECTION 245m. 20-235(3) of the
statute is renumbered 20-485(5) and
20-485(5)(g), as renumbered, is amended
to read :



(B)

~~Section # 20.235 (3) (g) of the statutes~~

20,485 (5)

45.54

~~20.235 (3) (g) Proprietary school programs.~~ The amounts in the schedule for the examination and approval of proprietary school programs. All moneys received from the issuance of solicitor's permits under s. ~~39.51~~ (8) and fees under s. ~~39.51~~ (10) shall be credited to this appropriation. 1)

History: 1971 c. 44; 1971 c. 125 ss. 62, 63, 64, 65, 66, 522 (1); 1971 c. 211; 1973 c. 90, 243, 333; 1975 c. 39, 118, 189, 199, 224; 1977 c. 29, 418; 1979 c. 34 ss. 136 to 155, 2102 (22) (a); 1979 c. 175, 221; 1981 c. 20 ss. 156 to 162p, 2202 (22) (a); 1983 a. 27; 1985 a. 29, 120; 1987 a. 27, 399; 1987 a. 403 s. 256; 1989 a. 31, 336; 1991 a. 39, 269; 1993 a. 16, 399; 1995 a. 27 ss. 558 to 563, 9127 (1); 1997 a. 27 s. 236 to 242, 253, 267, 268.

Page 449, line 16: delete lines 16 to 19.

Page 506, line 7: delete lines 7 and 8 and substitute "school approved by the higher educational ^{approval} ~~board~~ ^{board} under s. ~~39.51~~ 45.54 ."

Page 553, line 4: delete ~~the sentence~~ beginning with this line and ending with ~~page 554, line 5~~ and substitute: lines 4 to 6

(1)(b) and (1)(a) to (c)
" SECTION 921m. 39.51 of the statutes
are
renumbered 45.54 (title) and (1)(a) to (d). "

~~SECTION 921 . 39.51 (1)(e)~~

Page 553, line 7: ~~delete~~ ~~39.51 (1)(e) (intro.)~~
and substitute " 45.54 (1)(e) (intro.) " .

Page 553, line 15: delete lines 15 to 24 and
substitute :

Page 553, line 9: delete "39.51" and substitute

"45.54"

Page 553, line 13: after that line insert:
"SECTION 923m. RN. 39.51 (1)(f) and (g);
45.54 (1)(f) and (g) "

925 m. ✓
 (3) to (8) ✓
 Section #. 39.51 (3) of the statutes is (are) renumbered 45.54 (3) to (8), and 45.54 (5), as renumbered, is amended to read:

45.54 (5) EMPLOYEES, QUARTERS. The board shall employ a person to perform the duties of an executive secretary and such other persons under the classified service as may be necessary to carry out its purpose. The person performing the duties of the executive secretary shall be in charge of the administrative functions of the board. The board shall, to the maximum extent practicable, keep its office with the higher educational aids board, Department of veterans affairs.

History: 1971 c. 125 ss. 249, 448; 1971 c. 211 s. 51; 1973 c. 12, 90; 1975 c. 39, 224, 422; 1981 c. 380; 1981 c. 391 s. 211; 1983 a. 27, 189, 485; 1985 a. 156; 1985 a. 332 s. 251 (3), (6); 1987 a. 27; 1989 a. 31, 56, 359; 1991 a. 39, 316; 1993 a. 61, 112, 399; 1995 a. 27 ss. 1815 to 1840, 9130 (4), 9145 (1); 1997 a. 3; 1997 a. 27 ss. 1196 to 1211, 1313 to 1315; Stats. 1997 s. 39.51.

Page 554, line 1: delete "39.51 (1)(e)" and substitute "45.54 (1)(e)".

Page 554, line 3: delete lines 3 to 5.

Page 843, line 2: after that line insert:

and substitute:
 "SECTION 929 m. RN; 39.51 (10); 45.54 (10)".

1686m

Section ~~#~~ 71.05 (6) (b) 28. (intro.) of the statutes is amended to read:

71.05 (6) (b) 28. (intro.) An amount paid by a claimant for tuition expenses for a student who is the claimant or who is the claimant's child and the claimant's dependent who is claimed under section 151 (c) of the Internal Revenue Code, to attend any university, college, technical college or a school approved under s. ~~39.54~~ ^{45.54}, that is located in Wisconsin or to attend a public vocational school or public institution of higher education in Minnesota under the Minnesota-Wisconsin reciprocity agreement under s. 39.47, calculated as follows:

1987 a. 312; 1987 a. 411 ss. 42, 43, 45, 47 to 49, 51 to 53; 1989 a. 31, 46; 1991 a. 2, 37, 39, 269; 1993 a. 16, 112, 204, 263, 437; 1995 a. 27, 56, 209, 227, 261, 371, 403, 453; 1997 a. 27, 35, 39, 237. 1987 a. 312; 1987 a. 411 ss. 42, 43, 45, 47 to 49, 51 to 53; 1989 a. 31, 46; 1991 a. 2, 37, 39, 269; 1993 a. 16, 112, 204, 263, 437; 1995 a. 27, 56, 209, 227, 261, 371, 403, 453; 1997 a. 27, 35, 39, 237.

- # Page 1019, line 24: delete that line.
- # Page 1020, line 1: delete lines 1 to 17.
- # Page 1067, line 6: alter that line insert:

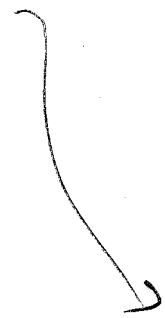


2358 m
Section # 182.028 of the statutes is amended to read:

182.028 School corporations. Any corporation formed for the establishment and maintenance of schools, academies, seminaries, colleges or universities or for the cultivation and practice of music shall have power to enact bylaws for the protection of its property, and provide fines as liquidated damages upon its members and patrons for violating the bylaws, and may collect the same in tort actions, and to prescribe and regulate the courses of instruction therein, and to confer such degrees and grant such diplomas as are usually conferred by similar institutions or as shall be appropriate to the courses of instruction prescribed, except that no corporation shall operate or advertise a school that is subject to s. ~~39.51~~^{45.54}(10) without complying with the requirements of s. ~~39.51~~^{45.54}. Any stockholder may transfer his or her stock to the corporation for its use; and if the written transfer so provides the stock shall be perpetually held by the board of directors with all the rights of a stockholder, including the right to vote.) .

History: 1979 c. 170; 1997 a. 27.

Page 1266, line 22: after that line insert:



2923m ✓

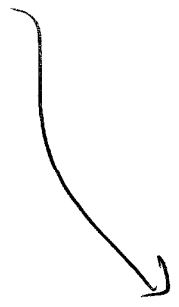
Section # 440.982 (1) (b) of the statutes is amended to read:

440.982 (1) (b) Promulgate rules establishing the education, training or competency requirements that an applicant for a license must satisfy in order to be issued a license of registration under this subchapter. The rules shall require an applicant to complete at least 500 classroom hours of study in a course of instruction at a school of massage therapy or bodywork approved under s. 39.51, and the rules may require an applicant to pass an examination, administered or approved by the department, to determine fitness to practice massage therapy or bodywork.

History: 1997 a. 156; s. 13.93 (1) (b).

45.54

Page 1353, line 16: delete line 16 to 18 and substitute:



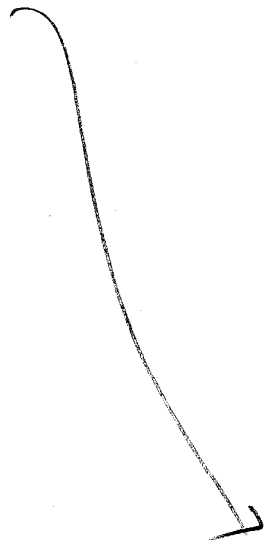
~~Section # 944.21 (8) (b) 3. a. of the statutes is amended to read:~~

45.54 (1)(e) 6, 7, or 8.

11
944.21 (8) (b) 3. a. Is a technical college, is a school approved by the educational approval board
under s. ~~39.51~~^{45.54} or is a school described in s. ~~39.51 (9) (f), (g) or (h)~~; and

History: 1977 c. 173, 272; 1987 a. 416; 1993 a. 399; 1995 a. 27 s. 9154 (1); 1997 a. 27.

#. Page 1355, line 11: delete lines 11 to 13
and substitute:



Section #. 948.11 (4) (b) 3. a. of the statutes is amended to read:

45.54 (i)(e) 6., 7. or 8.

948.11 (4) (b) 3. a. Is a technical college, is a school approved by the educational approval board under s. ^{45.54}39.51 or is a school described in s. ~~39.51 (9) (f), (g) or (h)~~; and

History: 1987 a. 332; 1989 a. 31; 1993 a. 220, 399; 1995 a. 27 s. 9154 (1); 1997 a. 27, 82.

plain space

Page 1429, line 12. delete the material beginning with that line and ending with page 1430, line 14, and substitute:



non state

CS

" (2m) EDUCATIONAL APPROVAL BOARD.
= I

(9) (a) Assets and liabilities. On the effective date of this paragraph, the assets and liabilities of the higher educational aids board primarily related to the functions of the educational approval board, as determined by the secretary of administration, shall become the assets and liabilities of the department of veterans affairs.

(b) Employee transfers. All incumbent employees holding positions in the higher educational aids board performing duties primarily related to the functions of the educational approval board, as determined by the secretary of administration, are transferred on the

↓

effective date of this paragraph to the department of veterans affairs."

~~to the department of veterans affairs.~~

Page 1430, line 17: delete "and the higher educational aids base".

Page 1430, line 18: substitute "higher educational aids" for "educational approval".

Page 1430, line 21: delete the material beginning with that line and ending with page 1431, line 16, and substitute:

reworded.

(I)
" (d) Tangible personal property. On the effective date of this paragraph, all tangible personal property, including records, of the higher educational aids base that is primarily ^{related} ~~related~~ to the functions of the

educational approval board, as determined by the secretary of administration, is transferred to the department of veterans affairs."

~~(c) contracts.~~

Page 1431, line 19: delete the material beginning with "primarily" and ending with "training" on line 20.

Page 1431, line 25: delete the material beginning with that line and ending with page 1432, line 25, and subst. Ant. (c)

NS subd. "higher educational ^{board} ~~board~~ in effect on the effective date of this ^{subdivision} ~~subdivision~~ that are primarily related to the functions of the educational approval

board, as determined by the
secretary of administration, remain in
effect and are transferred to the
department of veterans affairs. The
department of veterans affairs shall
carry ^{out} ~~out~~ any ^{such} ~~any~~ such contractual
obligations until modified ^{or} ~~or~~
rescinded by the department of veterans
affairs to the extent allowed under
the contract."

(End)



State of Wisconsin
1999 - 2000 LEGISLATURE

Scan

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PP-223

LFB:.....Larsen - Transfer educational approval board to dept. of veterans affairs

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

LFB AMENDMENT

TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45

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

2 1. Page 126, line 3: delete that line.

3 2. Page 131, line 15: delete lines 15 to 21 and substitute:

4 "SECTION 40m. 15.675 of the statutes is renumbered 15.495 and amended to
5 read:

6 15.495 Same; attached board. (1) EDUCATIONAL APPROVAL BOARD. There is
7 created an educational approval board which is attached to the ~~higher educational~~
8 ~~aids board~~ department of veterans affairs under s. 15.03. The board shall consist of
9 not more than 7 members, who shall be representatives of state agencies and other
10 persons with a demonstrated interest in educational programs, appointed to serve
11 at the pleasure of the governor."

1 **3.** Page 134, line 18: delete that line and substitute “the educational approval
2 board under s. ~~39.51~~ 45.54.”.

3 **4.** Page 390, line 18: delete lines 18 to 20 and substitute:

4 “**SECTION 245m.** 20.235 (3) of the statutes is renumbered 20.485 (5), and 20.485
5 (5) (g), as renumbered, is amended to read:

6 20.485 (5) (g) *Proprietary school programs.* The amounts in the schedule for
7 the examination and approval of proprietary school programs. All moneys received
8 from the issuance of solicitor’s permits under s. ~~39.51~~ 45.54 (8) and fees under s. ~~39.51~~
9 45.54 (10) shall be credited to this appropriation.”.

10 **5.** Page 449, line 16: delete lines 16 to 19.

11 **6.** Page 506, line 7: delete lines 7 and 8 and substitute “school approved by the
12 educational approval board under s. ~~39.51~~ 45.54.”.

13 **7.** Page 553, line 4: delete lines 4 to 6 and substitute:

14 “**SECTION 921m.** 39.51 (title) and (1) (a) to (d) of the statutes are renumbered
15 45.54 (title) and (1) (a) to (d).”.

16 **8.** Page 553, line 7: delete “39.51 (1) (e) (intro.)” and substitute “45.54 (1) (e)
17 (intro.)”.

18 **9.** Page 553, line 9: delete “39.51” and substitute “45.54”.

19 **10.** Page 553, line 13: after that line insert:

20 “**SECTION 923m.** 39.51 (1) (f) and (g) of the statutes are renumbered 45.54 (1)
21 (f) and (g).”.

22

14 **11.** Page 553, line ~~14~~ ¹⁴: delete lines ~~14~~ ¹⁴ to 24 and substitute:

①

✓
(2) ✓
②
“SECTION 925m. 39.51 ~~(2)~~ to (8) of the statutes are renumbered 45.54 ~~(2)~~ to (8),
and 45.54 (5), as renumbered, is amended to read:

3 45.54 (5) EMPLOYES, QUARTERS. The board shall employ a person to perform the
4 duties of an executive secretary and such other persons under the classified service
5 as may be necessary to carry out its purpose. The person performing the duties of
6 the executive secretary shall be in charge of the administrative functions of the
7 board. The board shall, to the maximum extent practicable, keep its office with the
8 ~~higher educational aids board~~ department of veterans affairs.”

9 **12.** Page 554, line 1: delete “39.51 (1) (e)” and substitute “45.54 (1) (e)”.

10 **13.** Page 554, line 3: delete lines 3 to 5 and substitute:

11 “SECTION 929m. 39.51 (10) of the statutes is renumbered 45.54 (10).”.

12 **14.** Page 843, line 2: after that line insert:

13 “SECTION 1686m. 71.05 (6) (b) 28. (intro.) of the statutes is amended to read:

14 71.05 (6) (b) 28. (intro.) An amount paid by a claimant for tuition expenses for
15 a student who is the claimant or who is the claimant’s child and the claimant’s
16 dependent who is claimed under section 151 (c) of the Internal Revenue Code, to
17 attend any university, college, technical college or a school approved under s. ~~39.51~~
18 45.54, that is located in Wisconsin or to attend a public vocational school or public
19 institution of higher education in Minnesota under the Minnesota–Wisconsin
20 reciprocity agreement under s. 39.47, calculated as follows:”.

21 **15.** Page 1019, line 24: delete that line.

22 **16.** Page 1020, line 1: delete lines 1 to 17.

23 **17.** Page 1067, line 6: after that line insert:

24 “SECTION 2308m. 182.028 of the statutes is amended to read:

1 **182.028 School corporations.** Any corporation formed for the establishment
2 and maintenance of schools, academies, seminaries, colleges or universities or for the
3 cultivation and practice of music shall have power to enact bylaws for the protection
4 of its property, and provide fines as liquidated damages upon its members and
5 patrons for violating the bylaws, and may collect the same in tort actions, and to
6 prescribe and regulate the courses of instruction therein, and to confer such degrees
7 and grant such diplomas as are usually conferred by similar institutions or as shall
8 be appropriate to the courses of instruction prescribed, except that no corporation
9 shall operate or advertise a school that is subject to s. ~~39.51~~ 45.54 (10) without
10 complying with the requirements of s. ~~39.51~~ 45.54. Any stockholder may transfer his
11 or her stock to the corporation for its use; and if the written transfer so provides the
12 stock shall be perpetually held by the board of directors with all the rights of a
13 stockholder, including the right to vote.”

14 **18.** Page 1266, line 22: after that line insert:

15 “**SECTION 2923m.** 440.982 (1) (b) of the statutes is amended to read:

16 440.982 (1) (b) Promulgate rules establishing the education, training or
17 competency requirements that an applicant for a license must satisfy in order to be
18 issued a license of registration under this subchapter. The rules shall require an
19 applicant to complete at least 500 classroom hours of study in a course of instruction
20 at a school of massage therapy or bodywork approved under s. ~~39.51~~ 45.54 and the
21 rules may require an applicant to pass an examination, administered or approved
22 by the department, to determine fitness to practice massage therapy or bodywork.”.

23 **19.** Page 1353, line 16: delete lines 16 to 18 and substitute:

1 “944.21 (8) (b) 3. a. Is a technical college, is a school approved by the educational
2 approval board under s. ~~39.51~~ 45.54 or is a school described in s. ~~39.51 (9) (f), (g) or~~
3 ~~(h)~~ 45.54 (1) (e) 6., 7. or 8.; and”.

4 **20.** Page 1355, line 11: delete lines 11 to 13 and substitute:

5 “948.11 (4) (b) 3. a. Is a technical college, is a school approved by the educational
6 approval board under s. ~~39.51~~ 45.54 or is a school described in s. ~~39.51 (9) (f), (g) or~~
7 ~~(h)~~ 45.54 (1) (e) 6., 7. or 8.; and”.

8 **21.** Page 1429, line 12: delete the material beginning with that line and
9 ending with page 1430, line 14, and substitute:

10 “(2m) EDUCATIONAL APPROVAL BOARD.

11 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
12 liabilities of the higher educational aids board primarily related to the functions of
13 the educational approval board, as determined by the secretary of administration,
14 shall become the assets and liabilities of the department of veterans affairs.

15 (b) *Employe transfers.* All incumbent employes holding positions in the higher
16 educational aids board performing duties primarily related to the functions of the
17 educational approval board, as determined by the secretary of administration, are
18 transferred on the effective date of this paragraph to the department of veterans
19 affairs.”.

20 **22.** Page 1430, line 17: delete “and the higher educational aids board”.

21 **23.** Page 1430, line 18: substitute “higher educational aids” for “educational
22 approval”.

23 **24.** Page 1430, line 21: delete the material beginning with that line and
24 ending with page 1431, line 16, and substitute:

1 “(d) *Tangible personal property.* On the effective date of this paragraph, all
2 tangible personal property, including records, of the higher educational aids board
3 that is primarily related to the functions of the educational approval board, as
4 determined by the secretary of administration, is transferred to the department of
5 veterans affairs.”.

6 **25.** Page 1431, line 19: delete the material beginning with “primarily” and
7 ending with “training” on line 20.

8 **26.** Page 1431, line 25: delete the material beginning with that line and
9 ending with page 1432, line 25, and substitute:

10 “higher educational aids board in effect on the effective date of this subdivision
11 that are primarily related to the functions of the educational approval board, as
12 determined by the secretary of administration, remain in effect and are transferred
13 to the department of veterans affairs. The department of veterans affairs shall carry
14 out any such contractual obligations until modified or rescinded by the department
15 of veterans affairs to the extent allowed under the contract.”.

16

(END)



State of Wisconsin
1999 - 2000 LEGISLATURE

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SOON

LFB:.....Larsen - Transfer educational approval board to dept. of veterans affairs

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

LFB AMENDMENT

TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45

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

2 1. Page 126, line 3: delete that line.

3 2. Page 131, line 15: delete lines 15 to 21 and substitute:

4 "SECTION 40m. 15.675 of the statutes is renumbered 15.495 and amended to
5 read:

6 15.495 Same; attached board. (1) EDUCATIONAL APPROVAL BOARD. There is
7 created an educational approval board which is attached to the ~~higher educational~~
8 ~~aids board~~ department of veterans affairs under s. 15.03. The board shall consist of
9 not more than 7 members, who shall be representatives of state agencies and other
10 persons with a demonstrated interest in educational programs, appointed to serve
11 at the pleasure of the governor."

1 **3.** Page 134, line 18: delete that line and substitute “the educational approval
2 board under s. ~~39.51~~ 45.54.”.

3 **4.** Page 390, line 18: delete lines 18 to 20 and substitute:

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5 (5) (g), as renumbered, is amended to read:

6 20.485 (5) (g) *Proprietary school programs.* The amounts in the schedule for
7 the examination and approval of proprietary school programs. All moneys received
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9 45.54 (10) shall be credited to this appropriation.”.

10 **5.** Page 449, line 16: delete lines 16 to 19.

11 **6.** Page 506, line 7: delete lines 7 and 8 and substitute “school approved by the
12 educational approval board under s. ~~39.51~~ 45.54.”.

13 **7.** Page 553, line 4: delete lines 4 to 6 and substitute:

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16 **8.** Page 553, line 7: delete “39.51 (1) (e) (intro.)” and substitute “45.54 (1) (e)
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18 **9.** Page 553, line 9: delete “39.51” and substitute “45.54”.

19 **10.** Page 553, line 13: after that line insert:

20 “**SECTION 923m.** 39.51 (1) (f) and (g) of the statutes are renumbered 45.54 (1)
21 (f) and (g).”.

22 **11.** Page 553, line 14: delete lines 14 to 24 and substitute:

1 “SECTION 925m. 39.51 (2) to (8) of the statutes are renumbered 45.54 (2) to (8),
2 and 45.54 (5), as renumbered, is amended to read:

3 45.54 (5) EMPLOYES, QUARTERS. The board shall employ a person to perform the
4 duties of an executive secretary and such other persons under the classified service
5 as may be necessary to carry out its purpose. The person performing the duties of
6 the executive secretary shall be in charge of the administrative functions of the
7 board. The board shall, to the maximum extent practicable, keep its office with the
8 higher educational aids board department of veterans affairs.”

9 **12.** Page 554, line 1: delete “39.51 (1) (e)” and substitute “45.54 (1) (e)”.

10 **13.** Page 554, line 3: delete lines 3 to 5 and substitute:

11 “SECTION 929m. 39.51 (10) of the statutes is renumbered 45.54 (10).”.

12 **14.** Page 843, line 2: after that line insert:

13 “SECTION 1686m. 71.05 (6) (b) 28. (intro.) of the statutes is amended to read:

14 71.05 (6) (b) 28. (intro.) An amount paid by a claimant for tuition expenses for
15 a student who is the claimant or who is the claimant’s child and the claimant’s
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17 attend any university, college, technical college or a school approved under s. ~~39.51~~
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19 institution of higher education in Minnesota under the Minnesota–Wisconsin
20 reciprocity agreement under s. 39.47, calculated as follows:”.

21 **15.** Page 1019, line 24: delete that line.

22 **16.** Page 1020, line 1: delete lines 1 to 17.

23 **17.** Page 1067, line 6: after that line insert:

24 “SECTION 2308d. 182.028 of the statutes is amended to read:

1 **182.028 School corporations.** Any corporation formed for the establishment
2 and maintenance of schools, academies, seminaries, colleges or universities or for the
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4 of its property, and provide fines as liquidated damages upon its members and
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6 prescribe and regulate the courses of instruction therein, and to confer such degrees
7 and grant such diplomas as are usually conferred by similar institutions or as shall
8 be appropriate to the courses of instruction prescribed, except that no corporation
9 shall operate or advertise a school that is subject to s. ~~39.51~~ 45.54 (10) without
10 complying with the requirements of s. ~~39.51~~ 45.54. Any stockholder may transfer his
11 or her stock to the corporation for its use; and if the written transfer so provides the
12 stock shall be perpetually held by the board of directors with all the rights of a
13 stockholder, including the right to vote.”.

14 **18.** Page 1266, line 22: after that line insert:

15 “**SECTION 2923m.** 440.982 (1) (b) of the statutes is amended to read:

16 440.982 (1) (b) Promulgate rules establishing the education, training or
17 competency requirements that an applicant for a license must satisfy in order to be
18 issued a license of registration under this subchapter. The rules shall require an
19 applicant to complete at least 500 classroom hours of study in a course of instruction
20 at a school of massage therapy or bodywork approved under s. ~~39.51~~ 45.54 and the
21 rules may require an applicant to pass an examination, administered or approved
22 by the department, to determine fitness to practice massage therapy or bodywork.”.

23 **19.** Page 1353, line 16: delete lines 16 to 18 and substitute:

1 “944.21 (8) (b) 3. a. Is a technical college, is a school approved by the educational
2 approval board under s. ~~39.51~~ 45.54 or is a school described in s. ~~39.51 (9) (f), (g) or~~
3 ~~(h)~~ 45.54 (1) (e) 6., 7. or 8.; and”.

4 **20.** Page 1355, line 11: delete lines 11 to 13 and substitute:

5 “948.11 (4) (b) 3. a. Is a technical college, is a school approved by the educational
6 approval board under s. ~~39.51~~ 45.54 or is a school described in s. ~~39.51 (9) (f), (g) or~~
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8 **21.** Page 1429, line 12: delete the material beginning with that line and
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10 “(2m) EDUCATIONAL APPROVAL BOARD.

11 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
12 liabilities of the higher educational aids board primarily related to the functions of
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19 affairs.”.

20 **22.** Page 1430, line 17: delete “and the higher educational aids board”.

21 **23.** Page 1430, line 18: substitute “higher educational aids” for “educational
22 approval”.

23 **24.** Page 1430, line 21: delete the material beginning with that line and
24 ending with page ¹⁴³² ~~1431~~, line ²⁵ ~~18~~, and substitute:

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 2 tangible personal property, including records, of the higher educational aids board
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6 **25.** Page 1431, line 19: delete the material beginning with “primarily” and
 7 ending with “training” on line 20.

8 **26.** Page 1431, line 25: delete the material beginning with that line and
 9 ending with page 1432, line 25, and substitute ^{higher educational aids board in}
 10 effect on the effective date of this ^{paragraph and} ~~subdivision~~ that are primarily related to the
 11 functions of the educational approval board, as determined by the secretary of
 12 administration, remain in effect and are transferred to the department of veterans
 13 affairs. The department of veterans affairs shall carry out any such contractual
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 15 extent allowed under the contract.”

(END)

non-stat. → (A) (e) ^I Contracts. On the effective date of this
 paragraph, all contracts entered into by the

that
one



State of Wisconsin
1999 - 2000 LEGISLATURE

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LFB:.....Larsen – Transfer educational approval board to dept. of veterans affairs

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

LFB AMENDMENT

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4 **20.** Page 1355, line 11: delete lines 11 to 13 and substitute:

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