

**2001 DRAFTING REQUEST**

**Bill**

Received: **10/18/2001**

Received By: **grantpr**

Wanted: **As time permits**

Identical to LRB:

For: **Robert Turner (608) 266-0731**

By/Representing: **Nancy McAdams**

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

Drafter: **mlief**

May Contact:

Addl. Drafters: **grantpr**

Subject: **Education - school boards**  
**Education - state superintendent**

Extra Copies: **MJL**

Submit via email: **YES**

Requester's email: **Rep.Turner@legis.state.wi.us**

Carbon copy (CC:) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Grants for new foreign language programs

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**Instructions:**

See Attached

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**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 10/30/2001			_____			S&L
/1	mlief 10/30/2001	rschluet 11/06/2001	rschluet 11/06/2001	_____	lrb_docadmin 11/12/2001		S&L
		rschluet 11/08/2001	pgreensl 11/12/2001	_____			

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
			haugeca	_____			
			11/12/2001	_____			
/2	mlief	rschluet	jfrantze	_____	lrb_docadmin	lrb_docadmin	
	01/15/2002	01/15/2002	01/15/2002	_____	01/15/2002	01/15/2002	

FE Sent For: at intro 2/15

<END>

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<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
			haugca	_____			
			11/12/2001	_____			
/2	mlief	rschluet	jfrantze	_____	lrb_docadmin		
	01/15/2002	01/15/2002	01/15/2002	_____	01/15/2002		

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Education - state superintendent

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		rschluet 11/08/2001	pgreensl 11/12/2001	_____			

+cjs  
 175-2  
 26/15  
 1/15

Vers.      Drafted      Reviewed      Typed      Proofed      Submitted      Jacketed      Required

haugeca \_\_\_\_\_  
11/12/2001 \_\_\_\_\_

FE Sent For:

<END>

2001 DRAFTING REQUEST

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Topic:

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Instructions:

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1?	grantpr						

FE Sent For:

<END>

OCT-16-2001 16:49

FROM-NORTHPOINTE ACHIEVE

847-872-0037

T-798 P.002

F-864

## Wisfalia Legislative Proposals

### Foreign Language Incentive Program

We propose that legislation be created to develop a Foreign Language Incentive Program. The purpose of the program would be to provide incentives for school districts to create new classes to teach their students foreign languages not currently offered in the district. An appropriation would be created to provide seed capital for the development of curriculum, for developing teaching guides, for acquiring instructional materials, and for the recruitment of qualified teachers. The Department of Public Instruction would be required to assist districts in their planning as well as to help coordinate locating materials and curriculum.





# Robert Turner

STATE REPRESENTATIVE  
61ST ASSEMBLY DISTRICT  
Assistant Chair, Assembly Democratic Caucus

MADISON:  
P.O. Box 8953  
Madison, WI 53708  
608-266-0731  
Fax: 608-282-3661

Toll-Free: 1-888-529-0061  
E-Mail: Rep.Turner@legis.state.wi.us

To: Peter Grant  
From: Nancy McAdams, Rep. Turner's Office  
Date: October 25, 2001  
Re: WisItalia Legislative Proposals

I have received responses from Peter Barca to my memo of October 19<sup>th</sup>. They are as follow:

Proposal #1 (Foreign Language Incentive Program):

- Proposals are to be submitted to DPI from each individual school district that wishes to apply for a grant to start a new foreign language program. DPI needs to determine if applicants have the needed infrastructure in place, but should have broad discretionary powers. Maximum amount of each grant: \$25,000.
- The program would be available from grades K-12, but each district would specify to DPI which grades were to be included.
- Total cost of program: \$175,000 (to be awarded to 7 school districts).

BILL

D-N

Use the appropriate components and routines developed for bills.



AN ACT... [generate catalog] to repeal ...; to renew ...; to consolidate and renumber ...; to renumber and amend ...; to consolidate, renumber and amend ...; to amend ...; to repeal and recreate ...; and to create ... of the statutes; relating to: grants for foreign language programs, granting rate-making authority, and making an appropriation.

[NOTE: See section 4.02 (2) (br), Drafting Manual, for specific order of standard phrases.]

Analysis by the Legislative Reference Bureau

If titles are needed in the analysis, in the component bar:

For the main heading, execute: ..... create → anal: → title: → head

For the subheading, execute: ..... create → anal: → title: → sub

For the sub-subheading, execute: ..... create → anal: → title: → sub-sub

For the analysis text, in the component bar:

For the text paragraph, execute: ..... create → anal: → text

All This bill permits school boards to apply to the department of public instruction for a grant of no more than \$25,000 to provide instruction in a foreign language that is not offered in the school district.

FE - STATE & LOCAL

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

SECTION #.

2001

LRB \_\_\_\_\_/\_\_\_\_

File With Statute **20.005 (3)** Schedule \_\_\_\_\_:\_\_\_\_:\_\_\_\_\_

\$\$\$ SCHEDULE

In the component bar:

For the action phrase, execute: ..... create → action: → ch20

For the table layout, execute: ..... create → <Table> → \$sched

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

2001-02      2002-03

20. 255 .....

*Corps/small*

(2) Aid for LOCAL EDUCATIONAL PLANNING PROGRAMMING  
*= AIDS*

(du) Grants for foreign language programs

GPR A - 0 - ..... 175,000

20. \_\_\_\_\_ .....

( ) .....

( ) .....

✓X

¶ Sec #. CR; 20.255(2)(du)

B  
m

¶ 20.255(2)(du) The amounts in the schedule for grants

for foreign language programs, under s. 115.40.

(I)

Grants for foreign language  
programs.

SEC. CR. 115.40  
B  
GRANTS FOR FOREIGN LANGUAGE PROGRAMS.  
lower case

NO 91  
B  
(1) A school board may apply to the department for a grant to provide instruction in a foreign language that the school district does not offer. The school board shall specify in its application the grades in which the language will be offered. of no more than \$25,000 <sup>is not offered in</sup>

B  
The department shall promulgate rules to implement and administer this section and shall award grants under this section from the appropriation under s. 20.255(2)(du).

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

4082  
LRB-4057/1dn  
MJL:cmh:kj  
e  
DS + cjs  
2

~~October 18, 2001~~  
Date

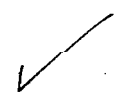
20.255(2)(du)

creation  
Creation of the

The Legislative Fiscal Bureau has issued a general fund condition statement which concludes that there are insufficient moneys in the general fund to maintain the required general fund balance at the end of this fiscal biennium. The increase to the appropriation under s. ~~20.255(2)(du)~~ in this draft affects general purpose revenue and could possibly result in a violation of s. 20.003 (4), stats.

You may wish to include a nonstatutory provision in this bill which states that s. 20.003 (4), stats., does not apply to the action of the legislature in enacting this bill. Please note that s. 20.003 (4), stats., is not legally enforceable, but rather constitutes a rule of procedure under article IV, section 8, of the Wisconsin Constitution. The Wisconsin supreme court has held that the remedy for failing to comply with rules of procedure lies exclusively within the legislative branch. See *State ex rel. La Follette v. Stitt*, 114 Wis. 2d 358, 363-369 (1983). In other words, while rules of procedure may govern internal legislative procedure, courts will not enforce procedural rules, and the rules do not affect the validity of any enactment resulting from a procedure that may be viewed as contravening them. Therefore, including a nonstatutory provision in this bill would be only for the purpose of internal legislative operations, not for the purpose of ensuring the legality of the bill.

Madelon J. Lief  
Legislative Attorney  
Phone: (608) 267-7380





FF  
stage

## 2001 BILL

1 AN ACT *to create* 20.255 (2) (du) and 115.40 of the statutes; **relating to:** grants  
 2 for new foreign language programs, granting ~~rule making~~ authority, and  
 3 making an appropriation.

totaling

develop and implement a plan to

---

### *Analysis by the Legislative Reference Bureau*

This bill permits school boards to apply to the department of public instruction for a grant of no more than \$25,000 to provide instruction in a foreign language that is not offered in the school district.

For further information see the *state and local* 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:*

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

**BILL**

2001-02      2002-03

**20.255**

**(2) AIDS FOR LOCAL EDUCATIONAL PROGRAMMING**

(du) Grants for foreign language programs

GPR    A                    -0-      175,000

**SECTION 2.** 20.255 (2) (du) of the statutes is created to read:

20.255 (2) (du) *Grants for foreign language programs.* The amounts in the schedule for grants for foreign language programs, under s. 115.40.

**SECTION 3.** 115.40 of the statutes is created to read:

**115.40 Grants for foreign language programs.** (1) A school board may

apply to the department for a grant of no more than \$<sup>10</sup>~~25~~,000 to provide instruction in a foreign language that is not offered in the school district. The school board shall specify in its application the grades in which the language will be offered.

(2) The department shall promulgate rules to implement and administer this section and shall award grants under this section from the appropriation under s. 20.255 (2) (du).

(END)

*develop a plan for providing*

*plan*

*The department may award a grant of no more than \$15,000 to a school board for the purpose of providing instruction in a foreign language under this section.*

*¶ (b) A school board receiving a grant under par. (a) shall submit its plan to the department for approval. If the department approves the plan, the department shall award the school board a grant of no more than \$15,000 to implement the plan.*



**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-4082/1dn  
MJL:rs&cjs:pg

November 12, 2001

The Legislative Fiscal Bureau has issued a general fund condition statement which concludes that there are insufficient moneys in the general fund to maintain the required general fund balance at the end of this fiscal biennium. The creation of the appropriation under s. 20.255 (2) (du) in this draft affects general purpose revenue and could possibly result in a violation of s. 20.003 (4), stats.

You may wish to include a nonstatutory provision in this bill which states that s. 20.003 (4), stats., does not apply to the action of the legislature in enacting this bill. Please note that s. 20.003 (4), stats., is not legally enforceable, but rather constitutes a rule of procedure under article IV, section 8, of the Wisconsin Constitution. The Wisconsin supreme court has held that the remedy for failing to comply with rules of procedure lies exclusively within the legislative branch. See *State ex rel. La Follette v. Stitt*, 114 Wis. 2d 358, 363-369 (1983). In other words, while rules of procedure may govern internal legislative procedure, courts will not enforce procedural rules, and the rules do not affect the validity of any enactment resulting from a procedure that may be viewed as contravening them. Therefore, including a nonstatutory provision in this bill would be only for the purpose of internal legislative operations, not for the purpose of ensuring the legality of the bill.

Madelon J. Lief  
Legislative Attorney  
Phone: (608) 267-7380

4/15 TC w Nancy -

- Decrease approp to <sup>\$1</sup>75k

- Include numstat, per d/w

- Ok that only 3 districts will get grant



**2001 BILL**

Due 1/23  
To eding 1/15

Gen

1 **AN ACT to create** 20.255 (2) (du) and 115.40 of the statutes; **relating to:** grants  
2 for new foreign language programs, granting rule-making authority, and  
3 making an appropriation.

---

*Analysis by the Legislative Reference Bureau*

This bill permits a school board to apply to the department of public instruction for grants totaling no more than \$25,000 to develop and implement a plan to provide instruction in a foreign language that is not offered in the school district.  
For further information see the *state and local* 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:*

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

**BILL**

1 (B) 2001-02 2002-03

2 **20.255** *Public instruction, department of*

3 (2) AIDS FOR LOCAL EDUCATIONAL PROGRAMMING

4 (du) Grants for foreign language pro-

5 grams GPR A -0- 175,000

6 **SECTION 2.** 20.255 (2) (du) of the statutes is created to read:

7 20.255 (2) (du) *Grants for foreign language programs.* The amounts in the  
8 schedule for grants for foreign language programs, under s. 115.40.

9 **SECTION 3.** 115.40 of the statutes is created to read:

10 **115.40 Grants for foreign language programs.** (1) (a) A school board may  
11 apply to the department for a grant of no more than \$10,000 to develop a plan for  
12 providing instruction in a foreign language that is not offered in the school district.  
13 The school board shall specify in its application the grades in which the language will  
14 be offered.

15 (b) A school board receiving a grant under par. (a) shall submit its plan to the  
16 department for approval. If the department approves the plan, the department shall  
17 award the school board a grant of no more than \$15,000 to implement the plan.

18 (2) The department shall promulgate rules to implement and administer this  
19 section and shall award grants under this section from the appropriation under s.  
20 20.255 (2) (du).

21 (END)

*INS  
2-21*

INS 2-21

~~SECTION 1. Nonstatutory provisions.~~

(1) REQUIRED GENERAL FUND BALANCE. Section 20.003 (4) of the statutes and 2001 Wisconsin Act 16, section 9101 (25j), do not apply to the action of the legislature in enacting this act.

An on-line version of this nonstatutory provision can be found by querying in Documentum for LRBlegact/ns.

The drafter's note should read as follows:

At your request, this [bill includes] [amendment inserts] a nonstatutory provision which states that s. 20.003 (4), stats., and 2001 Wisconsin Act 16, section 9101 (25j), do not apply to the action of the legislature in enacting the bill. Please note that s. 20.003 (4), stats., and 2001 Wisconsin Act 16, section 9101 (25j), are not legally enforceable, but rather constitute a rule of procedure under article IV, section 8, of the Wisconsin constitution. The Wisconsin supreme court has held that the remedy for failing to comply with rules of procedures lies exclusively within the legislative branch. See *State ex rel. La Follette v. Stitt*, 114 Wis. 2d 358, 363-369 (1983). In other words, while rules of procedure may govern internal legislative procedure, courts will not enforce procedural rules and the rules do not affect the validity of any enactment resulting from a procedure that may be viewed as contravening them. Therefore, the nonstatutory provision is included only for the purpose of internal legislative operations, not for the purpose of ensuring the legality of the bill.

An on-line version of this drafter's note can be found by querying in Documentum for LRBlegact/dn.

cc. Publication editors

**Barman, Mike**

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**From:** McAdams, Nancy  
**Sent:** Tuesday, January 15, 2002 3:16 PM  
**To:** LRB.Legal  
**Subject:** Draft review: LRB-4082/2 Topic: Grants for new foreign language programs

It has been requested by <McAdams, Nancy> that the following draft be jacketed for the ASSEMBLY:

Draft review: LRB-4082/2 Topic: Grants for new foreign language programs