

2003

Date (time) needed

5:00h

LRB - 3176, P1

PG: King

BILL

Use the appropriate components and routines developed for bills.

AN ACT ... [generate catalog] to repeal ... ; to renumber ... ; 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: dissolution of the Racine County Children with Disabilities Education Board.

[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

This is a preliminary draft. An analysis will be provided on a later version.

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

SECTION #.

by the Racine County Board of Supervisors ^{under sub. (1)(b)} all of the following apply:

SEC. CR. 115.817 (9m)

^(B) ~~115.817 (9m)~~ ^(B) RACINE COUNTY. If the program

operated by the Racine County Children with Disabilities Education Board is dissolved,

(1) All assets and liabilities shall be distributed that as provided under sub. (1)(b), except Racine County shall continue to be responsible for paying the costs associated with the postretirement health benefits ^(of) ~~of former employees of the Racine County Children with Disabilities Board.~~

The prior service liability for former employees of the Racine County Children with Disabilities Board.

(b) The Racine County Board of Supervisors shall continue to ^{levy} ~~levy~~ a tax against the area of Racine County that participated in the program

operated by the Racine County Children with
Disabilities Education Board before its
dissolution - for the purpose of paying the
specified
costs / under par. (a) ~~as they~~ as they
become due.

(End)

Grant, Peter

From: Kiel, Joyce
Sent: Thursday, September 11, 2003 4:23 PM
To: Hale, Janine
Cc: Grant, Peter
Subject: Rep. Ladwig's LRB-3176/P1

Janine:

Thanks for sending me a copy of the draft.

I talked to Peter Grant this morning about a couple of technical points (suggesting that s. 115.817 (7) (b) refer to the exception in s. 115.817 (9m) and asking whether it is appropriate to refer "continue" on page 1, line 8 and page 2, line 1).

I am also wondering if page 1, line 9, should refer to "unfunded prior service liability under s. 40.05 (2) (b)" [or, alternatively, "unfunded prior service liability under the Wisconsin retirement system"], rather than just referring to "prior service liability". You might want to check with the Racine County officials to make sure that is what they are talking about. If it is, I think it would be useful if the statutes were specific. Assuming that it is, I am wondering if the language on page 2, line 4, about paying the costs "as they become due" is a limitation that the Racine County officials really want inasmuch as s. 40.05 (2) (bg) allows advance payments of an existing unfunded prior service liability (and I think some local units of government were doing that to take advantage of low interest rates).

I'd be happy to review any future drafts.

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State of Wisconsin
2003 - 2004 LEGISLATURE

5/5/03

LRB-3176/D1
PG:kmg:jf

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Sen. Cat.

1 AN ACT to create 115.817 (9m) of the statutes; relating to: dissolution of the
2 Racine County children with disabilities education board.

Analysis by the Legislative Reference Bureau

(attached)

This is a preliminary draft. An analysis will be provided in a later version.

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

INS. 1-3

SECTION 1. 115.817 (9m) of the statutes is created to read:

115.817 (9m) RACINE COUNTY. If the program operated by the Racine County children with disabilities education board is dissolved by the Racine County board of supervisors under sub. (7) (b), all of the following apply:

(a) All assets and liabilities shall be distributed as provided under sub. (7) (b), except that Racine County shall ~~continue to~~ be responsible for paying the costs associated with the postretirement health benefits of and prior service liability for former employees of the Racine County children with disabilities education board.

former employees of the Racine County children with disabilities education board and the costs incurred under s. 40.05(2) before dissolution for this

education

unfunded

(1) (b) The Racine County board of supervisors shall ~~continue to~~ levy a tax against
2 the area of Racine County that participated in the program operated by the Racine
3 County children with disabilities education board before its dissolution for the
(4) purpose of paying the costs specified under par. (a) ~~as they become due.~~

5

(END)

1-3

Section #. 115.817 (7) (b) of the statutes is amended to read:

115.817 (7) (b) A program established under this section may be dissolved by action of the county board, but such dissolution shall not take place until the end of the school term in which the action was taken. When a program is dissolved, assets and liabilities shall be distributed under s. 66.0235 to all units which participated in the program, except as provided in sub. (9m) ✓

History: 1997 a. 164; 1999 a. 150 s. 672; 2001 a. 16; 2001 a. 30 s. 108; 2003 a. 33.

~~Case R115~~

~~For actual use~~

Analysis

Current law ~~authorizes~~ authorizes a county board to establish a special education program for school districts in the county. If a county board does so, the program is run by the county children with disabilities education board.

~~(CCDEB)~~ Under current law, when a program is dissolved by a county board, the assets and liabilities are distributed to the school districts that participated in the program.

This bill provides that if the special education program operated by the Racine

County Children with Disabilities Education Board (RCCDEB) is dissolved, all assets and liabilities will be distributed as provided under current law, except that Racine County will be responsible for paying the costs associated with the postretirement health

benefits of ^{the} and the ^{un} unfunded prior service
incurred liability under the Wisconsin Retirement System
for ^{former} former employees of the RECDERS. The
bill directs ^{Board to} the Racine County ~~must~~ levy a tax against the
area of Racine County that participated
in the program before its dissolution in
order to pay these costs.

FE-L

Grant, Peter

From: Pleva, Brian
Sent: Monday, October 13, 2003 10:05 AM
To: Grant, Peter
Cc: Hale, Janine; Manley, Scott; Conlin, Robert
Subject: LRB-3176/1

Peter, we've come up with a different way of getting to the same outcome legislated in LRB-3176/1, except that the attached revisions would apply to *any* county in the same situation as Racine County (not just Racine County). Please let me know when you think this might be ready. Thanks a lot!



LRB-3176_revision.
doc

Brian J. Pleva

Office of Sen. Cathy Stepp
Telephone: (608) 266-1832
Toll-Free: (866) 615-7510

SECTION 1. 115.817 (7) (b) of the statutes is amended to read:

115.817 (7) (b) A program established under this section may be dissolved by action of the county board, but such dissolution shall not take place until the end of the school term in which the action was taken. When a program is dissolved, assets and liabilities shall be distributed under s. 66.0235 to all units which participated in the program, except as provided in sub. (9m).

SECTION 2. 115.817 (9) (a) of the statutes is amended to read:

115.817 (9) ~~AREA TAXED~~. (a) The tax for the operation and maintenance of each part of a special education program, ~~and for the transportation of children under sub. (8),~~ and for the costs associated with the dissolution of a district under sub. (9m) shall be levied against the area of the county participating in the part of the program, or in the case of the dissolution of a district under sub (9m), the area of the county that participated in the program prior to dissolution.

SECTION 3. 115.817 (9m) of the statutes is created to read:

115.817 (9m) ~~RACINE COUNTY~~. If the program operated by the ~~Racine~~ county children with disabilities education board is dissolved by the ~~Racine~~ county board of supervisors under sub. (7) (b), ~~all of the following apply:~~

(a) All assets and liabilities shall be distributed as provided under sub. (7) (b), except that ~~Racine~~ the county shall be responsible for paying the costs associated with the postretirement health benefits of former employees of the ~~Racine~~ county children with disabilities education board and the costs incurred under s. 40.05 (2) (b) before dissolution for the unfunded prior service liability for former employees of the ~~Racine~~ county children with disabilities education board.

~~(b) The Racine county board of supervisors shall levy a tax against the area of Racine the county that participated in the program operated by the Racine county children with disabilities education board before its dissolution for the purpose of paying the costs specified under par. (a).~~

(END)

Grant, Peter

From: Grant, Peter
Sent: Monday, October 13, 2003 10:45 AM
To: Pleva, Brian
Cc: Hale, Janine; Manley, Scott; Conlin, Robert
Subject: RE: LRB-3176/1

Brian, if you want to make the bill applicable statewide instead of only to Racine, there is no need to create a new subsection. I would simply amend the second sentence of 115.817 (7)(b) so it would read "When a program is dissolved, assets and liabilities shall be distributed under s. 66.0235 to all units which participated in the program except that the county shall be responsible for paying the costs associated with the postretirement health benefits of former employees of the county children with disabilities education board and the costs incurred under s. 40.05 (2) (b) before dissolution for teh unfunded prior service liability for former employees of the county children with disabilities education board.

Also, I think there's a problem with the way you've amended sub. (9) (a). It seems to say that all costs associated with the dissolution of a district are the responsibility of the county and it does not explain what those costs include. Is that your intent? If not, I'd amend (9) (a) a little differently. I'd leave the first sentence alone and simply add a sentence to read, "The tax for the costs associated with dissolution of a district that are specified under sub (7)(b) shall be levied against the area of the county that participated in the program before its dissolution."

Let me know what you think.

Peter

-----Original Message-----

From: Pleva, Brian
Sent: Monday, October 13, 2003 10:05 AM
To: Grant, Peter
Cc: Hale, Janine; Manley, Scott; Conlin, Robert
Subject: LRB-3176/1

Peter, we've come up with a different way of getting to the same outcome legislated in LRB-3176/1, except that the attached revisions would apply to *any* county in the same situation as Racine County (not just Racine County). Please let me know when you think this might be ready. Thanks a lot!

<< File: LRB-3176_revision.doc >>

Brian J. Pleva
Office of Sen. Cathy Stepp
Telephone: (608) 266-1832
Toll-Free: (866) 615-7510

→ Stepp
→ Ludwig

Emery, Lynn

From: Hale, Janine
Sent: Wednesday, October 08, 2003 2:54 PM
To: LRB.Legal
Subject: Draft review: LRB [REDACTED] Racine County Childeren with Disabilities Education Board

It has been requested by <Hale, Janine> that the following draft be jacketed for [REDACTED]

Draft review: LRB 03-3176/1 Topic: Racine County Childeren with Disabilities Education Board



State of Wisconsin
2003 - 2004 LEGISLATURE

Wed - a.m.

LRB-3176/1
PG:kmg:jf

LRB-3176/1
PK:

2003 BILL

1 AN ACT to amend 115.817 (7) (b); and to create 115.817 (9m) of the statutes;
2 relating to: dissolution of the Racine County children with disabilities
3 education board.

Analysis by the Legislative Reference Bureau

Current law authorizes a county board to establish a special education program for school districts in the county. If a county board does so, the program is run by the county children with disabilities education board.

Under current law, when a program is dissolved by a county board, the assets and liabilities are distributed to the school districts that participated in the program.

This bill provides that, if the special education program operated by the Racine County Children with Disabilities Education Board (RCCDEB) is dissolved, all assets and liabilities will be distributed as provided under current law, except that Racine County will be responsible for paying the costs associated with the postretirement health benefits of, and the unfunded prior service liability incurred under the Wisconsin Retirement System for, former employees of the RCCDEB. The bill directs the Racine County Board to levy a tax against the area of Racine County that participated in the program before its dissolution in order to pay these costs.

For further information see the *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:

neglected

for these costs associated with
~~closure of the program~~
it will continue to be levied

continue to

BILL

1 SECTION 1. 115.817 (7) (b) of the statutes is amended to read:

2 115.817 (7) (b) A program established under this section may be dissolved by
3 action of the county board, but such dissolution shall not take place until the end of
4 the school term in which the action was taken. When a program is dissolved, assets
5 and liabilities shall be distributed under s. 66.0235 to all units which participated
6 in the program, except as provided in sub. (9m).

7 SECTION ~~2~~ 115.817 (9m) of the statutes is created to read:

8 115.817 (9m) RACINE COUNTY. If the program operated by the Racine County
9 children with disabilities education board is dissolved by the Racine County board
10 of supervisors under sub. (7) (b), all ~~of the following apply.~~

11 ~~of the~~ assets and liabilities shall be distributed as provided under sub. (7) (b),
12 except that Racine County shall ^{continue to} be responsible for paying the costs associated with
13 the postretirement health benefits of former employees of the Racine County
14 children with disabilities education board and the costs incurred under s. 40.05 (2)
15 (b) before dissolution for the unfunded prior service liability for former employees of
16 the Racine County children with disabilities education board.

17 (b) The Racine County board of supervisors shall ^{continue to} levy a tax against the area
18 of Racine County that participated in the program operated by the Racine County
19 children with disabilities education board before its dissolution for the purpose of
20 paying the costs specified under par. (a).

21 (END)

Ms. 2-6
→

2-6

Grant, Peter

From: Grant, Peter
Sent: Monday, October 13, 2003 3:46 PM
To: Ladwig, Bonnie; Stepp, Cathy
Subject: LRB-3176

Here's my suggested language:

SECTION 1. 115.817 (7) (b) of the statutes is amended to read:

115.817 (7) (b) A program established under this section may be dissolved by action of the county board, but such dissolution shall not take place until the end of the school term in which the action was taken. When a program is dissolved, assets and liabilities shall be distributed under s. 66.0235 to all units which participated in the program, except as provided in sub. (9m).

SECTION ~~1~~ 2. 115.817 (9) (a) of the statutes is amended to read:

115.817(9)(a) The tax for the operation and maintenance of each part of a special education program and for the transportation of children under sub. (8) shall be levied against the area of the county participating in the part of the program. The tax for the costs associated with the dissolution of the program operated by the Racine County children with disabilities education board that are specified under sub. (9m) shall continue to be levied only against the area of Racine County that participated in the program before its dissolution.

PWF

SECTION 2. 115.817 (9m) of the statutes is created to read:

115.817 (9m) RACINE COUNTY. If the program operated by the Racine County children with disabilities education board is dissolved by the Racine County board of supervisors under sub. (7) (b), all assets and liabilities shall be distributed as provided under sub. (7) (b) except that Racine County shall continue to be responsible for paying the costs associated with the postretirement health benefits of former employees of the Racine County children with disabilities education board and the costs incurred under s. 40.05 (2) (b) before dissolution for the unfunded prior service liability for former employees of the Racine County children with disabilities education board.

Peter Grant, Managing Attorney
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