




State of Wisconsin


LEGISLATIVE REFERENCE BUREAU


RESEARCH APPENDIX - **PLEASE DO NOT REMOVE FROM DRAFTING FILE**


Date Transfer Requested: 02/09/2011 (Per: PG)

Compile Draft – Appendix A ... Part I

A  The 2011 drafting file for
LRB-3476

C  The 2011 drafting file for
LRB-3740

B  The 2011 drafting file for
LRB-3738

D  The 2011 drafting file for
LRB-3814

2011 LRB-3476

has been transferred to the drafting file for

2011 LRB-4017

2011 DRAFTING REQUEST

Bill

Received: 11/11/2011

Received By: **pgrant**

Wanted: **As time permits**

Companion to LRB:

For: **Governor 6-9709**

By/Representing: **Waylon Hurlburt**

May Contact:

Drafter: **pgrant**

Subject: **Education - miscellaneous**

Addl. Drafters:

Extra Copies: **TKK**

Submit via email: **YES**

Requester's email: **waylon.hurlburt@wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Governor's read to lead endowment fund; governor's reading council

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>
/?	pgrant 11/11/2011	jdyer 11/21/2011		_____			S&L
/P1	pgrant 12/05/2011	jdyer 12/06/2011	rschluet 11/21/2011	_____	sbasford 11/21/2011		S&L
/P2	pgrant 12/23/2011	mduchek 12/27/2011	rschluet 12/09/2011	_____	mbarman 12/09/2011		S&L
/P3	pgrant	jdyer	jmurphy	_____			S&L

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/P5	pgrant 01/13/2012	wjackson 01/18/2012	phenry 01/13/2012	_____	ggodwin 01/13/2012		S&L
/1	pgrant 01/27/2012	mduchek 01/27/2012	jfrantze 01/18/2012	_____	mbarman 01/18/2012		S&L
/2	pgrant 02/01/2012	mduchek 02/01/2012	rschluet 01/27/2012	_____	lparisi 01/27/2012		S&L
/3	pgrant 02/03/2012	wjackson 02/06/2012	rschluet 02/01/2012	_____	sbasford 02/01/2012		S&L
/4			rschluet 02/06/2012	_____	ggodwin 02/06/2012		

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/P3	pgrant	jdyer	jmurphy	_____			S&L

Handwritten signatures and initials are present over the Drafting History table, specifically over the 'Typed' and 'Submitted' columns for the /P2 and /P3 rows.

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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/3		/4 wlj 2/6	rschluet 02/01/2012	_____	sbasford 02/01/2012		

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FE Sent For:

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END
2/1

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FE Sent For:

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12
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/P5		1 wlj 1/18	phenry 01/13/2012	_____	ggodwin 01/13/2012		

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Jo 1/18 *Jm 1/18*
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/P2			rschluet 12/09/2011		mbarman 12/09/2011		

Handwritten notes:
 P4/6/11
 12/23/11
 12/21/11
 16/2

LRB-3476

12/09/2011 08:57:15 AM

Page 2

FE Sent For:

<END>

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/P1		<i>12/12</i> jld	rschluet 11/21/2011	_____	sbasford 11/21/2011		

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Handwritten signatures and initials: jld, rschluet, sbasford, and a large scribble.

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1?

pgrant

PI 11/20 jld

11/21/11

11/21

FE Sent For:

<END>

Grant, Peter

From: Hurlburt, Waylon - GOV [Waylon.Hurlburt@wisconsin.gov]
Sent: Friday, November 11, 2011 10:55 AM
To: Kite, Robin; Grant, Peter
Subject: Two Bill Draft Requests
Attachments: 20111110152507512.pdf

Hello Robin and Peter,

I am requesting two bill drafts. Both of the drafts would create a public/private partnership (PPP) capable of accepting donations, gifts, grants, etc. from individuals and businesses for these initiatives. Public donations, from state or federal grants would be accepted as well.

1. The first PPP would be created in order for funds to go to the Wisconsin Conservation Endowment (see attached). The funds would be used for management of state public lands.

The difference in the attachment and what the bill draft would do is, the Joint Committee on Finance would have passive review of all funds used from the segregated endowment fund which includes money raised from the check off and other private donations.

The JFC would also have the authority to match the segregated endowment funds from the stewardship fund if they vote to do so.

The check offs would be created through rule by the DNR. The bill draft would not mandate a check off from all licenses and permits, DNR would be able to decide what is workable and what is not through rule.

2. The other PPP would be to create the "Governor's Read To Lead Endowment Fund". The fund would be able to accept private donations, gifts, etc. from individuals, organizations, and businesses as well as from public funds. The endowment fund would be a segregated fund within DOA managed by SWIB and with the authority to use money from the fund resting with a board created by Executive Order titled, the "Governor's Reading Council".

Thanks,

Waylon
6-9709

11/11/2011

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Thanks,

Waylon
6-9709

Grant, Peter

From: Hurlburt, Waylon - GOV [Waylon.Hurlburt@wisconsin.gov]
Sent: Friday, November 11, 2011 1:51 PM
To: Grant, Peter
Subject: RE: Two Bill Draft Requests

- Could we draft it and leave the EO number blank for now until the council is created, just to prepare? If that is a problem, let's send the money to the DOA secretary and give him the discretion to use the funds with advice from the "to be created" council.
- The only requirement for the council (or the DOA Sec. with the advice of the council) would be to spend it on initiatives that improve reading in K-12 schools. Therefore, only schools public and private could receive funds from the PPP.

From: Grant, Peter [mailto:Peter.Grant@legis.wisconsin.gov]
Sent: Friday, November 11, 2011 1:26 PM
To: Hurlburt, Waylon - GOV
Subject: RE: Two Bill Draft Requests

Hi Waylan. I'll be drafting the education bill. I've got a couple of questions for you.

First, has the governor issued the executive order establishing the Governor's Reading Council? If so, could you let me know the number of the executive order and send me a copy? If not, I think there may be a problem appropriating money to an entity that does not yet exist.

Second, could you let me know for what purposes the Governor's Reading Council will be able to use the money appropriated to it? Is it restricted in any way regarding the recipients of grants?

Thanks -

Peter

From: Hurlburt, Waylon - GOV [mailto:Waylon.Hurlburt@wisconsin.gov]
Sent: Friday, November 11, 2011 10:55 AM
To: Kite, Robin; Grant, Peter
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11/11/2011

BILL

Date (time) needed SOON

LRB - 34761 P1
PG : jld :

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: *creating the governor's ^{read} ~~read~~ to ^{lead} ~~lead~~ endowment fund, authorizing the governor's ^{reading} ~~reading~~ council to award grants, 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**

(attached)

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

SECTION #.



STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

SEC. # CR. 20.525 (1) (g) ² ✓
 20.525 (1) (g) ^{nk} (B) Governor's reading council. (I)

NO # From the governor's read to lead endowment fund, a sum sufficient for the governor's reading council, created by executive order no. Δ... , dated ... , to award grants to public and private elementary and secondary schools for initiatives that improve reading skills ~~elementary and secondary education~~

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

SEC. # ✓ 25.79
 CR. 25.79

25.79 Governor's read to lead endowment ^(B)
fund. ^(B) There is established a separate
nonlapsible[✓] trust fund, designated the
governor's read to lead ^{lead} endowment fund,
consisting of all gifts, grants,
bequests and other contributions
made to the fund. (B)

(End) ✓

ANALYSIS

This bill creates a segregated fund, designated the governor's read to lead endowment fund, consisting of all contributions made to the fund. The bill appropriates moneys in the fund ~~to~~ appropriated to the governor for ~~award~~ the governor's reading council, created by executive order, to award grants to public and private elementary and secondary schools for initiatives that improve reading skills.

AFE-5L

(end analysis)



State of Wisconsin
2011 - 2012 LEGISLATURE

500h
DN



LRB-3476/PY 2
PG:jld:rs

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

X

regeh

1 AN ACT *to create* 20.525 (1) (q) and 25.79 of the statutes; **relating to:** creating
2 the governor's read to lead endowment fund, authorizing the governor's
3 reading council to award grants, and making an appropriation.

Analysis by the Legislative Reference Bureau

This bill creates a segregated fund, designated the governor's read to lead endowment fund, consisting of all contributions made to the fund. The bill appropriates moneys in the fund to the governor for the governor's reading council, created by executive order, to award grants to public and private elementary and secondary schools for initiatives that improve reading skills.

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. 20.525 (1) (q) ^X of the statutes is created to read:
5 20.525 (1) (q) *Governor's reading council.* From the governor's read to lead
6 endowment fund, a sum sufficient for the governor's reading council, created by

1 executive order no. ..., dated ..., to award grants to public and private elementary and
2 secondary schools for initiatives that improve reading skills.

2-2
2 ✓
3 →

3 **SECTION 2.** 25.79[✓] of the statutes is created to read:

4 **25.79 Governor's read to lead endowment fund.** There is established a
5 separate nonlapsible trust fund, designated the governor's read to lead endowment
6 fund, consisting of all gifts, grants, bequests, and other contributions made to the
7 fund.

8

(END)

D-note
↓

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

2-2

SEC. #. CR. ^x 25.17 (1) (ge)
 25.17 (1) (ge) Governor's read to lead

endowment funds

(end ins)

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

(DN)

¶ This redraft corrects an error of omission; the segregated fund should be listed in s. 25.17(1) ✓

PE

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

LRB-3476/P2dn
PG:jld:rs

December 7, 2011

This redraft corrects an error of omission; the segregated fund should be listed in s. 25.17 (1).

Peter R. Grant
Managing Attorney
Phone: (608) 267-3362
E-mail: peter.grant@legis.wisconsin.gov

Grant, Peter

From: Hurlburt, Waylon - GOV [Waylon.Hurlburt@wisconsin.gov]
Sent: Thursday, December 22, 2011 10:32 AM
To: Grant, Peter
Cc: Brickman, Michael - DOA
Subject: FW: Draft review: LRB 11-3476/P2 Topic: Governor's read to lead endowment fund; governor's reading council
Attachments: LRB-3476_P2.pdf; LRB-3476_P2 Drafters_Note.pdf

Peter,

Can we change this bill to allow the council to raise funds with flexibility similar to what the Dept. of Tourism has today. We want the council to not run afoul of ethics laws.

Michael Brickman will be the contact to clear this up if you have any questions.

Thanks,

Waylon

From: LRB.Legal [mailto:LRB-LegalServices@legis.wisconsin.gov]
Sent: Friday, December 09, 2011 8:55 AM
To: Hurlburt, Waylon - GOV
Subject: Draft review: LRB 11-3476/P2 Topic: Governor's read to lead endowment fund; governor's reading council

Following is the PDF version of draft LRB 11-3476/P2 and drafter's note.

12/22/2011

Grant, Peter

From: Grant, Peter
Sent: Friday, December 23, 2011 9:50 AM
To: Brickman, Michael - DOA
Cc: Hurlburt, Waylon - GOV
Subject: RE: Draft review: LRB 11-3476/P2 Topic: Governor's read to lead endowment fund; governor's reading council

Well, maximum flexibility would mean that there are no restrictions at all. The council could award a grant to anyone. If you want to set some parameters, you might limit grant recipients to those entities that you think are likely to create "initiatives that improve reading skills." I'm not sure who that would be other than elementary and secondary schools, but if you're thinking of adult reading skills, you might want to add institutions of higher education, which would include technical colleges.

Should I take your email as an affirmative answer to the question of whether to exclude 19.56 (3) (f)?

Also, could you look at the remaining provisions that I included in yesterday's email and let me know if all of the language in each is needed? As I asked yesterday, why would the council or a council member *retain* anything of value? Anything of value received by the council will be deposited in the read to lead endowment fund. And why would we need to be concerned, in 19.56 (2) (b) 6., with a state public official *receiving* anything of value from the council?

Peter

From: Brickman, Michael - DOA [mailto:Michael.Brickman@wisconsin.gov]
Sent: Thursday, December 22, 2011 4:53 PM
To: Grant, Peter
Cc: Hurlburt, Waylon - GOV
Subject: RE: Draft review: LRB 11-3476/P2 Topic: Governor's read to lead endowment fund; governor's reading council

That makes sense. I do think we should include language to expand beyond schools. I know we need to set some parameters but what would be your suggestion to ensure maximum flexibility?

From: Grant, Peter [mailto:Peter.Grant@legis.wisconsin.gov]
Sent: Thursday, December 22, 2011 3:57 PM
To: Brickman, Michael - DOA; Hurlburt, Waylon - GOV
Subject: RE: Draft review: LRB 11-3476/P2 Topic: Governor's read to lead endowment fund; governor's reading council

Hi Michael,

I did include 19.56 (3) (em) in the list. Please note, however, that if you want the council to be able to do something in addition to awarding grants to public and private elementary and secondary schools, the draft will have to say what those powers or duties are. Right now, the council is limited to awarding grants to public and private elementary schools, not universities, libraries, or other nonprofits. (And just out of curiosity, why would the council "retain" anything of value? All contributions to the fund must be deposited in the fund.)

And what about (3) (f)? As I mentioned in my earlier email, I'm not sure why that one is needed. Under what circumstances would a state public official be receiving anything of value from the council?

Peter

12/23/2011

From: Brickman, Michael - DOA [<mailto:Michael.Brickman@wisconsin.gov>]
Sent: Thursday, December 22, 2011 3:44 PM
To: Hurlburt, Waylon - GOV
Cc: Grant, Peter
Subject: RE: Draft review: LRB 11-3476/P2 Topic: Governor's read to lead endowment fund; governor's reading council

Peter,

Are you planning to also include 19.56(3) (em), which is cited in par. (f)? I think it might be necessary so the council could "solicit, receive and retain on behalf of the state anything of value for the purpose of hosting individuals in order to promote reading." Many of these grants could go to schools but certainly not all of them would. They might go to universities, libraries, or other non-profits that promote reading. Might we be better safe than sorry and just include all of it?

Michael

From: Hurlburt, Waylon - GOV
Sent: Thursday, December 22, 2011 3:06 PM
To: Brickman, Michael - DOA
Subject: FW: Draft review: LRB 11-3476/P2 Topic: Governor's read to lead endowment fund; governor's reading council

Michael,

Please reply.

Waylon

From: Grant, Peter [<mailto:Peter.Grant@legis.wisconsin.gov>]
Sent: Thursday, December 22, 2011 2:39 PM
To: Hurlburt, Waylon - GOV
Subject: RE: Draft review: LRB 11-3476/P2 Topic: Governor's read to lead endowment fund; governor's reading council

Hi Waylon,

I spoke to Michael, who told me that Tourism is exempt from some ethics laws dealing with fundraising. I searched the stats looking for those exemptions, and found the following cites. Please let me know if you want the governor's council to have exemptions and provisions similar to these, or if there's something you need for the council that is not listed below.

Now that I've looked at these provisions more closely, I think it's possible that not all may be needed if the council's only roles are fundraising and awarding grants to schools. For example, s. 19.56 (3) (f) would allow a public official to receive and retain from the council anything of value which the council is authorized to provide. If the council is awarding grants only to public and private schools, this paragraph may be unnecessary.

13.625 (10) This section does not apply to the solicitation, acceptance or furnishing of anything of pecuniary value by the *department of tourism*, or to a principal furnishing anything of pecuniary value to the *department of tourism*, under s. 19.56 (3) (em) or (f) for the activity specified in s. 19.56 (3) (em).

19.56(3) (em) A state public official who is an officer or employee of the *department of tourism* may solicit, receive and retain on behalf of the state anything of value for the purpose of hosting individuals in order to

12/23/2011

promote tourism.

19.56(3) (f) A state public official...may receive and retain from the *department of tourism* anything of value which the *department of tourism* is authorized to provide under par. (em).

19.575 Tourism activities. The *department of tourism* shall file a report with the board no later than April 30 annually, specifying the source and amount of anything of value received by the *department of tourism* during the preceding calendar year for a purpose specified in s. 19.56 (3) (em) and the program or activity in connection with which the thing is received, together with the location and date of that program or activity.

Thanks,

Peter

From: Hurlburt, Waylon - GOV [<mailto:Waylon.Hurlburt@wisconsin.gov>]
Sent: Thursday, December 22, 2011 10:32 AM
To: Grant, Peter
Cc: Brickman, Michael - DOA
Subject: FW: Draft review: LRB 11-3476/P2 Topic: Governor's read to lead endowment fund; governor's reading council

Peter,

Can we change this bill to allow the council to raise funds with flexibility similar to what the Dept. of Tourism has today. We want the council to not run afoul of ethics laws.

Michael Brickman will be the contact to clear this up if you have any questions.

Thanks,

Waylon

From: LRB.Legal [<mailto:LRB-LegalServices@legis.wisconsin.gov>]
Sent: Friday, December 09, 2011 8:55 AM
To: Hurlburt, Waylon - GOV
Subject: Draft review: LRB 11-3476/P2 Topic: Governor's read to lead endowment fund; governor's reading council

Following is the PDF version of draft LRB 11-3476/P2 and drafter's note.

12/23/2011

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

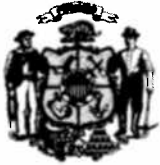
Legal (608-266-3561)

LRB

12/25/11

TC from Michael Brickman

- ① delete "retain"
- ② delete ref to schools
instead: any entity w/ initiative to
improve reading skills
- ③ 19.56(2)(b)6: delete
which will only be soliciting + receiving



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-3476/PZ
PG:jld/frs

P3

med

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 AN ACT *to create* ^{regen} 20.525 (1) (q), 25.17 (1) (ge) and 25.79 of the statutes; relating
2 to: creating the governor's read to lead endowment fund, authorizing the
3 governor's reading council to award grants, and making an appropriation.

Analysis by the Legislative Reference Bureau

This bill creates a segregated fund, designated the governor's read to lead endowment fund, consisting of all contributions made to the fund. The bill appropriates moneys in the fund to the governor for the governor's reading council, created by executive order, to award grants to ~~public and private elementary and secondary schools for~~ initiatives that improve reading skills.

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

fund

A

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

1-4

4 SECTION 1. 20.525 (1) (q) of the statutes is created to read:

5 20.525 (1) (q) *Governor's reading council.* From the governor's read to lead
6 endowment fund, a sum sufficient for the governor's reading council, created by

① executive order no. ..., dated ..., to award grants to ~~public and private elementary and~~
② ~~secondary schools for~~ ^{fund} initiatives that improve reading skills.

3 **SECTION 2.** 25.17 (1) (ge) of the statutes is created to read:

4 25.17 (1) (ge) Governor's read to lead endowment fund. •

5 **SECTION 3.** 25.79 of the statutes is created to read:

6 **25.79 Governor's read to lead endowment fund.** There is established a
7 separate nonlapsible trust fund, designated the governor's read to lead endowment
8 fund, consisting of all gifts, grants, bequests, and other contributions made to the
9 fund.

10

(END)

(A)

¶ The bill exempts the members of the governor's reading council from the law that prohibits ^{state} public officials from accepting anything of value if done so for the purpose of awarding the grants described above.

and from the law that prohibits agencies from soliciting or accepting anything of value from a lobbyist or a lobbyist's employer,

¶ Finally, the bill directs the governor's reading council annually to file a report with the government accountability board specifying the source and amount of anything of value received by the council during the preceding calendar year.

1-4:1

Section #. 13.625 (3) of the statutes is amended to read:

and (4)
to (11)

13.625 (3) No candidate for an elective state office, elective state official, agency official or legislative employee of the state may solicit or accept anything of pecuniary value from a lobbyist or principal, except as permitted under subs. (1) (b) 3. and (c), (2), ~~(4), (5), (6), (7), (8) and (9)~~. No personal campaign committee of a candidate for state office may accept anything of pecuniary value from a lobbyist or principal, except as permitted for such a candidate under subs. (1) (b) 3. and (c), (2) and (6).

History: 1977 c. 278, 418; 1979 c. 32; 1987 a. 27; 1989 a. 338; 1991 a. 39, 269; 1995 a. 27 ss. 35, 36, 9116 (5); 1995 a. 227; 2011 a. 32.

1-4-24

Section # ^{CR: ✓} 13.625 ⁽¹¹⁾ ~~(10)~~ of the statutes

⁽¹¹⁾
13.625 ~~(10)~~ This section does not apply to the solicitation, acceptance or furnishing of anything of pecuniary value by the ~~department of tourism~~, or to a principal furnishing anything of pecuniary value to the ~~department of tourism~~, under s. 19.56 (3) ~~section 19~~ for the activity specified in s. 19.56 (3) ~~sub (g)~~ ^(g)

History: 1977 c. 278, 418; 1979 c. 32; 1987 a. 27; 1989 a. 338; 1991 a. 39, 269; 1995 a. 27 ss. 35, 36, 9116 (5); 1995 a. 227; 2011 a. 32.

governor's reading council

1-4:23

Section # ^(CR) 19.56 (3) ^(g) (em) of the statutes

19.56 (3) (em) ^(g) A state public official who is an office or employee of the department of tourism ^{member} may solicit, receive ~~and retain~~ ^{and} on behalf of the state anything of value for the purpose of ~~hosting~~ ^{hosting} individuals in order to promote tourism.

History: 1977 c. 277; 1983 a. 61, 538; 1985 a. 203; 1989 a. 31, 338; 1991 a. 39; 1995 a. 27 ss. 455 to 457, 9116 (5); 2011 a. 32.

governor's reading council, created by executive order no. ..., dated ...

awarding a grant to any person to fund an initiative designed to improve reading skills

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

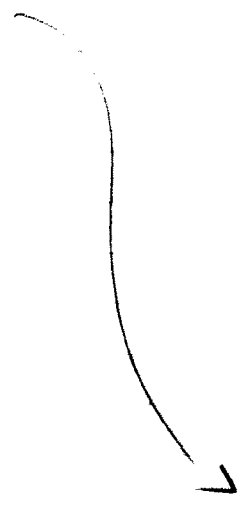
LRB

1-4: 4

SEC. # AM, 19.575 (title) B
 B 19.575 (title) Tourism, ^{activities} governor's reading
 B Council.

SEC. # RN, 19.575, 19.575 (1)

SEC. # CR, 19.575 (2)



1-4: प्र 5

Section #. 19.575 of the statutes

governor's reading council,
created by executive order
no. ..., dated ...

19.575 (2)^B

~~19.575 Tourism activities~~ The ~~department of tourism~~ shall file a report with the board no later than April 30 annually, specifying the source and amount of anything of value received by the ~~department of tourism~~ ^{council} during the preceding calendar year for a purpose specified in s. 19.56 (3) (em) (4) and the program or activity in connection with which the thing is received, together with the location and date of that program or activity.

History: 1995 a. 27.

Grant, Peter

From: Brickman, Michael - DOA [Michael.Brickman@wisconsin.gov]
Sent: Tuesday, December 27, 2011 3:42 PM
To: Archibald, Sarah; Kulow, Chris; Liedl, Kimberly - GOV
Cc: Grant, Peter; Murray, Ryan M - GOV
Subject: Updated Outline
Attachments: January 2012 Education Bill v3.docx

Here is the updated outline. Regarding educator effectiveness, Sarah and I discussed drafting the bill consistent with the recommendations of the task force for now (as reflected in the attachment). Chris, I tried to reach you but you had left so if that is an issue, please let me know. There are some other things we need to discuss including our plan for outreach so let's talk soon. Thanks again for the productive meeting today.

Michael Brickman
Education Policy Assistant
Office of Governor Scott Walker
608-267-9096
Michael.Brickman@wisconsin.gov

12/27/2011

2012 Education Initiatives

January 2012 Education Package

I. Educator Effectiveness

A. Transparency and Accountability for Teacher Preparation Programs

1. Create a Report Card for each program similar to school and district report cards
 - a) Based on how students of recent graduates perform based on EE System
 - b) Report card must be prominently displayed on school's homepage and offered along with other admissions materials.

B. Implement Educator Effectiveness recommendations

1. 50% student outcomes with at least 15% of total coming from WKCE scores (where available). The remaining portion will be split equally between local assessments and student learning goals developed jointly by teachers and administrators
2. 50% educator practice based on 2011 Interstate Teacher Assessment and Support Consortium (InTASC) Model Core Teaching Standards (teachers) and the 2008 Interstate School Leaders Licensure Consortium (ISLLC) Educational Leadership Policy Standards (principals).
3. Mandatory reporting to parents if student has a "probationary" teacher three years in a row, otherwise not subject to open records requests.

II. Read to Lead: implement recommendations

A. Require all students to take early childhood screener in 4K and 5K by 2012-13

B. Require DPI to update licensure exam for all elementary educators to one based on MTEL by 2013-14

III. School Accountability

A. Description of report card:

1. Must include measures of value added growth and proficiency
2. Must rate schools on 1-100 corresponding to one of five categories (Exemplary, Above Adequate, Adequate, Below Adequate, Failing)

B. Report card must be prominently displayed on school homepage and offered along with admissions materials

C. If more than 75% of schools are Exemplary or Above Adequate, standards must be raised.

IV. Other Possible Initiatives

A. Alternative Licensure

1. Alternative principal licensure modeled after Colorado's program. Before gaining employment as a principal and enrolling in an alternative preparation program, a candidate must have a bachelor's degree & documented evidence of:
 - a) A traditional teaching degree and 3+ years of teaching experience;
 - b) 3+ years teaching as an unlicensed teacher; or
 - c) 3+ years of other management experience (business, military, etc.)
2. Allow teachers to teach less than full course load if they fulfill other contractual obligations

B. End MPS Residency (SB-34/AB-44) – bill authored by Kestell/Darling would prevent teacher residency from being a condition of employment

II. Ready to Lead

A. take what screens? ^{administer?}
 beginning when? In 2012/13? ^{Annually}

B. "based on MTEL" : only for teachers
 of grades K-5?
 what abt renewals?

also: if warrant created by exec order, it
 expires when new gov. takes office unless new
 gov. by exec order ~~continues~~ provides for its
 continued existence

14.20 Literacy Improvement grants

Grant, Peter

From: Grant, Peter
Sent: Wednesday, December 28, 2011 12:29 PM
To: Brickman, Michael - DOA
Subject: RE: Read to Lead

Thanks. See my responses below.

7.9096

From: Brickman, Michael - DOA [mailto:Michael.Brickman@wisconsin.gov]
Sent: Wednesday, December 28, 2011 11:52 AM
To: Grant, Peter
Subject: RE: Read to Lead

See my responses below. Feel free to call if you have anything else. Thanks.

From: Grant, Peter [mailto:Peter.Grant@legis.wisconsin.gov]
Sent: Wednesday, December 28, 2011 11:11 AM
To: Brickman, Michael - DOA
Subject: Read to Lead

Hi Michael,

I have a few questions about this draft. First, I should have pointed out earlier the disadvantage of creating the governor's reading council by executive order: The council will expire when a new governor takes office unless the new governor by executive order provides for its continued existence. If you'd like to see examples of a governor's council created by statute, look at s. 14.017.

An EO is probably fine.

So you're OK with the termination of the council? ✓

Second, are you familiar with s. 14.20, Wis. Stats.? It authorizes the governor to award grants to local governmental units and nonprofit organizations for support of literacy improvement programs. Have you considered revising this program instead of creating a new one?

I think revising would be fine as long as we can ensure there are no restrictions on where fundraising could come from. **Do you want to revise? Or would you rather leave the bill as is?**

Finally, councils are advisory in nature only. They can't promulgate rules, and are intended only to study and make recommendations to the person or body they advise. In this draft, we can solve this problem either by having the governor award the grants (after receiving recommendations from the council) or by explicitly providing an exemption for the council. See, for example, s. 15.01 (4). Let me know which option you choose.

I think an advisory body is fine.

I'll have the governor award the grants based on council recommendations. Okay? ✓

Now for a few questions about the outline. As I mentioned yesterday, I need to know what screening device you want to mandate. Would it initially be administered in the 2012-13 school year? And annually thereafter? Will school districts be reimbursed by the state for the costs of administering the screen? **Must** a school district provide a special reading program, or intervene in any way, to help a pupil if the screen identifies the pupil as one who is in danger of reading failure?

Yes 2012-13 and thereafter. The state will pay for it. I don't think we need to specify WHAT they do but we should probably include something that says the district must utilize scientific research-based practices to intervene. Would that work?

Will the state pay for the screening from GPR? For 100% of the costs? How much do you want to appropriate for that purpose in 2012-13? To whom do you want it appropriated for distribution to school districts, DPI?

Regarding updating the licensure exam, I noticed that MTEL is actually a number of different tests. Which ones do you want DPI to base its licensure exam on? Is this only for applicants who will be teaching in grades K to 5? Will it apply only

to those applying for an initial license or to applicants for renewals as well?

The MTEL exam we are looking at is the "Foundations of Reading" exam. It should be for any teacher applying for an elementary education license both new or renewal.

I don't see a test on the MTEL web site called Foundations of Reading. http://www.mtel.nesinc.com/MA15_overview.asp It appears to be a test objective (see the list here: http://www.mtel.nesinc.com/MA_testobjectives.asp) but I can't find a discrete test called F of R.

That's if for now. Thanks.

Peter

Peter Grant, Managing Attorney
Wisconsin Legislative Reference Bureau
608-267-3362
peter.grant@legis.wi.gov

Act 32
SECTION 9101

(2) **LITERACY INITIATIVE; GOVERNOR'S TASK FORCE.** A task force created by the governor by executive order and charged with developing detailed recommendations for a program to assess and improve literacy in elementary school children may request the department of administration to release funding from the department's appropriation account under section 20.505 (4) (c) of the statutes, as created by this act, for use by the department to implement the recommendations of the task force after the governor has approved the detailed recommendations proposed by the task force.

20.505 (4)(c) CR by Act 32

(c) *Literacy initiative.* The amounts in the schedule for the costs to develop and implement a program to assess and improve literacy in elementary school children under 2011 Wisconsin Act 32, section 9101 (2).

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

- > use 1.2M need to lead groups to gov.
- > sd must do something for id'ed kids (based on research, etc.)
- > pay costs in either private

to pay for screening etc.

call Jennifer Kammerel } name of MTEL
 Jessica Justina RE PRGM
 6-8009

MB: A name of fund & council to lead development f. or c.

~~Project that the way past~~
~~20-21 (S)(dn)~~



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-3476/P3
PG:jld/med/jm

DUE
TUES.
a.m.

500X
DN

P4
ulj

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

NO in support of literacy and early childhood development programs

~~requiring a specific test for licensure as a teacher in the elementary grades, directing school boards to screen kindergarten pupils for risk of reading failure and to provide accelerated reading intervention program to at-risk pupils~~

regen

X

1 AN ACT to renumber 19.575; to amend 13.625 (3) and 19.575 (title); and to
2 create 13.625 (11), 19.56 (3) (g), 19.575 (2), 20.525 (1) (q), 25.17 (1) (ge) and
3 25.79 of the statutes; relating to: ~~creating~~ ^{establishing} the governor's read to lead
4 ~~endowment~~ ^{development} fund, authorizing the ~~governor's reading council~~ ^{governor} to award grants,
5 and making an appropriation.

development

Analysis by the Legislative Reference Bureau

This bill creates a segregated fund, designated the governor's ~~endowment~~ ^{development} fund, consisting of all contributions made to the fund. The bill appropriates moneys in the fund to the governor ~~for the governor's reading council~~ ^{created by executive order} to award grants to fund initiatives that improve reading skills. ^{INS A} ✓

in support of literacy and early childhood development programs

The bill exempts the members of the ~~governor's reading council~~ ^{read to lead development} from the law that prohibits state public officials from accepting anything of value and from the law that prohibits agencies from soliciting or accepting anything of value from a lobbyist or a lobbyist's employer, if done so for the purpose of awarding the grants described above.

* Finally, the bill directs the ~~governor's reading council~~ ^{Read to Lead development} annually to file a report with the government accountability board specifying the source and amount of anything of value received by the council during the preceding year.

BRAM

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:

1 SECTION 1. 13.625 (3) of the statutes is amended to read:

2 13.625 (3) No candidate for an elective state office, elective state official, agency
3 official or legislative employee of the state may solicit or accept anything of pecuniary
4 value from a lobbyist or principal, except as permitted under subs. (1) (b) 3. and (c),
5 (2), (4), (5), (6), (7), (8) and (9) and (4) to (11). No personal campaign committee of a
6 candidate for state office may accept anything of pecuniary value from a lobbyist or
7 principal, except as permitted for such a candidate under subs. (1) (b) 3. and (c), (2)
8 and (6).

9 SECTION 2. 13.625 (11) of the statutes is created to read:

10 13.625 (11) This section does not apply to the solicitation, acceptance or
11 furnishing of anything of pecuniary value by ^{a member of} the ~~governor's reading~~ council, or to a ^{read to lead development}
12 principal furnishing anything of pecuniary value to ^{a member of} the ~~governor's reading~~ council,
13 under s. 19.56 (3) (g) for the activity specified in s. 19.56 (3) (g).
14

15 SECTION 3. 19.56 (3) (g) of the statutes is created to read:

16 19.56 (3) (g) A member of the ^{read to lead development} ~~governor's reading~~ council, created by executive
17 order no. ..., dated ..., may solicit and receive on behalf of the state anything of value
18 for the purpose of awarding a grant to ~~any person to fund an initiative designed to~~
~~improve reading skills~~ ^{under s. 14.20}

19 SECTION 4. 19.575 (title) of the statutes is amended to read:

20 19.575 (title) **Tourism activities: ~~governor's reading~~ council.** ^{read to lead development}

21 SECTION 5. 19.575 of the statutes is renumbered 19.575 (1).

deposit in the governor's ^{fund} ~~read to lead development~~ fund, for

ins
2-13
✓
→

11
12
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21

(B) ↓

1 SECTION 6. 19.575 (2) of the statutes is created to read:

2 19.575 (2) The ~~governor's reading~~ ^{read to lead development} council, created by executive order no. ...,
3 dated ..., shall file a report with the board no later than April 30 annually, specifying
4 the source and amount of anything of value received ^{on behalf of the state} by the council during the
5 preceding calendar year for a purpose specified in s. 19.56 (3) (g) and the program
6 or activity in connection with which the thing is received, together with the location
7 and date of that program or activity.

8 SECTION 7. 20.525 (1) (q) of the statutes is created to read:

9 20.525 (1) (q) ~~Governor's reading council~~ ^{development}. From the governor's read to lead ^{and early childhood} ^{development programs}
10 ~~development~~ fund, a sum sufficient for the ~~governor's reading council~~, created by
11 ~~executive order no. ... dated ...~~ ^{governor} to award grants to ~~fund initiatives that improve~~
12 ~~reading skills~~ ^{support literacy and early} ^{childhood development} ^{programs under s. 14.20}

13 SECTION 8. 25.17 (1) (ge) of the statutes is created to read:

14 25.17 (1) (ge) Governor's read to lead ~~development~~ ^{development} fund.

15 SECTION 9. 25.79 of the statutes is created to read:

16 25.79 Governor's read to lead ~~development~~ ^{development} fund. There is established a
17 separate nonlapsible trust fund, designated the governor's read to lead ~~development~~ ^{development}
18 fund, consisting of all gifts, grants, bequests, and other contributions made to the
19 fund.

20 (END)

D-note



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Legal (608-266-3561)

LRB

INSERT
2-13 : 1

SEC. # [^] RC; 14.20 (1) ^u

14.20 (1) In this section, "council" means
the ^{of} ~~read~~ to lead ~~development~~ council, created
by executive order ^{not} ..., dated ...

SEC # [ⓑ] CR; 14.20(1m) ^u

14.20(1m) The council shall make
recommendations to the governor regarding
recipients of grants under sub. (2). ✓

MOVE

SEC. AM; 14.20 (title) ^u

[ⓑ] 14.20 (title) Literacy improvement grants
and early childhood development grants.



2-13:2

Section #. 14.20 (2) of the statutes is amended to read:

14.20 (2) From the ~~appropriation~~ ^{appropriations} under s. 20.525 (1) (f), the governor may ~~provide~~ ^{and (g)} a grant ^{to} to any ~~local governmental unit or nonprofit organization~~ ^{person} for support of a literacy ~~improvement~~ ^{or early childhood development} program.

History: 1997 a. 27; 1999 a. 9; 2001 a. 16; 2003 a. 33.

2-13:3

Section #. 19.44 (1) (g) of the statutes is amended to read:

19.44 (1) (g) The identity of each person from which the individual who is required to file received, directly or indirectly, any gift or gifts having an aggregate value of more than \$50 within the taxable year preceding the time of filing, except that the source of a gift need not be identified if the donation is permitted under s. 19.56 (3) (e), (em) ~~or~~ (f) ^{+ or (g) ✓} or if the donor is the donee's parent, grandparent, child, grandchild, brother, sister, parent-in-law, grandparent-in-law, brother-in-law, sister-in-law, uncle, aunt, niece, nephew, spouse, fiance or fiancée.

History: 1973 c. 90; Stats. 1973 s. 11.04; 1973 c. 334 ss. 33, 57, 58; Stats. 1973 s. 19.44; 1977 c. 277; 1979 c. 110 s. 60 (4), (11); 1983 a. 61; 1983 a. 166 ss. 6, 16; 1983 a. 538; 1989 a. 303, 338; 1991 a. 39; 1993 a. 112, 490; 1995 a. 27; 2011 a. 32.

(end ins 2-13)

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(A)

(in #) The bill directs the read to lead ^{development} ~~development~~
council, created by executive order, is
directed to advise the governor on grant recipients.

(end insert A)

(DN)

Michael Brickman:

⊙ This is a preliminary draft ⊙ Once the governor issues the executive order creating the road to lead ~~development~~ ^{development} council, the bill can be redrafted as an introducible version ⊙ Note that, as I mentioned, a council created by executive order expires when a new governor takes office unless the new governor by executive order provides for its continued existence ⊙

PLG

~~Beginning January 1, 2014, the draft prohibits DPI from issuing or renewing a license that authorizes the holder to teach grades kindergarten to grade 5 unless the applicant has passed an examination that is substantially similar to the foundation of~~

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

LRB-3476/P4dn
PG:jld:rs

January 6, 2012

Michael Brinkman:

This is a preliminary draft. Once the governor issues the executive order creating the read to lead development council, the bill can be redrafted as an introducible version. Note that, as I mentioned, a council created by executive order expires when a new governor takes office unless the new governor by executive order provides for its continued existence.

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Mitch Brickman

79096

TC 1/13/12

-3476/P4

- ① p 2 l 12 : add "lobbyist"
- ② end of analysis : clarify that the thing received must be used for grants
- ③ 19.75 (2) : provide a separate section for counsel, eg. 19.576 .