



Dr. Morna K. Foy, President

4622 University Avenue
PO Box 7874
Madison, Wisconsin 53707-7874
608.266.1207 | Wisconsin Relay System: 711
info@wtcsystem.edu | www.wtcsystem.edu

March 26, 2021

Clearinghouse Rule 21-035

Senator Stephen L. Nass, Co-Chair
Joint Committee for the Review of Administrative Rules
Room 10 South
PO Box 7882
Madison, WI 53707

Representative Adam Neylon, Co-Chair
Joint Committee for the Review of Administrative Rules
Room 204 North
PO Box 8953
Madison, WI 53708

Subject: Petition for Authorization to Repeal Language Contained in TCS 10.04(1)(a), Wis. Admin. Code

Dear Senator Nass and Representative Neylon,

On behalf of the Wisconsin Technical College System (WTCS), I submit this petition for your consideration to authorize the WTCS to repeal specific language contained in TCS 10.04(1)(a), Wis. Admin. Code, related to district budget limitations. A copy of the proposed rule is enclosed. Pursuant to s. 227.26(4)(b)1., Stats., the WTCS has determined that the repeal of specific language contained in TCS 10.04(1)(a), Wis. Adm. Code, specified below and in the attached proposed rule order is appropriate since it is unauthorized. The unauthorized code section and rationale to repeal as follows:

Statutory authority for TCS 10.04(1)(a) "...and the determination of district supplemental aid payments under s. 38.28(6), Stats", Wis. Admin. Code, was repealed by 2103 Wis. Act 20 ss. 652.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Foy".

Dr. Morna K. Foy, PhD
President
Wisconsin Technical College System

PETITION OF THE WISCONSIN TECHNICAL COLLEGE SYSTEM REPEALING AN UNAUTHORIZED RULE

The Wisconsin Technical College System (WTCS) proposes the following permanent rule to **repeal** language contained in TCS 10.04(1)(a), relating to supplemental aid payments.

1. Statute Interpreted:

-Section 38.28 (6), Stats.
-2103 Wis. Act 20 ss. 652.

2. Statutory Authority:

-Section 227.26(4)(b), Stats.
-Section 227.29(1)(a), Stats.
-Section 38.28 (6), Stats.

3. Explanation of Agency Authority:

Wis. Stat. s. 38.28(6) was the statutory authority for a portion of TCS 10.04(1)(a), Wis. Admin. Code, which was repealed by 2103 Wis. Act 20 ss. 652.

4. Related Statutes or Rules:

There are no related statutes or rules.

5. Plain Language Analysis:

Chapter TCS 10 establishes policies and procedures to determine residency, admission priority and program fees.

TCS 10.04(1)(a) provides guidance on how to determine district residency. The rule references the following language: "...and the determination of district supplemental aid payments under s. 38.28(6), Stats."

The authority for this language was repealed by 2013 Wis. Act 20 ss. 652.

6. Agency Contact Person:

Brandon Trujillo
608-267-9514
Brandon.trujillo@wtcsystem.edu

TEXT OF RULE

Section 1. TCS 10.04(1)(a) is amended to read:

(a) Any resident of the state who has maintained a permanent residence within the district prior to application at a district school is a district resident for admission priority as determined under s. [TCS 10.07](#), tuition and fees determinations under s. [38.24](#), Stats., and the determination of district supplemental aid payments under s. ~~38.28 (6)~~, Stats.

Section 2. Effective Date. This rule takes effect on the first day of the month following publication in the Wisconsin Administrative Register as provided in s. [227.22 \(2\) \(intro.\)](#), Stats.

END OF TEXT