



Dr. Morna K. Foy, President

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Clearinghouse Rule 21-036

March 26, 2021

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 Rule TCS 4.04(1), 4.07(2), 4.08(3), 4.09, 4.13(2), 4.14(1), 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 TCS 4.04(1), 4.07(2), 4.08(3), 4.09, 4.13(2), 4.14(1), 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 TCS 4.04(1), 4.07(2), 4.08(3), 4.09, 4.13(2), 4.14(1), 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 4.04(1), 4.07(2), 4.08(3), 4.09, 4.13(2), 4.14(1), Wis. Admin. Code, was repealed by 1983 Wis. Act 27 ss. 913i.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Morna K. 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** TCS 4.04(1), 4.07(2), 4.08(3), 4.09, 4.13(2), 4.14(1), relating to district budget limitations.

1. Statute Interpreted:

- Section 38.29, Stats.
- 1983 Wis. Act 27 ss. 913i

2. Statutory Authority:

- Section 227.26(4)(b), Stats.
- Section 227.29(1)(a), Stats.
- Section 38.29, Stats.

3. Explanation of Agency Authority:

Statutory authority for TCS 4.04(1), 4.07(2), 4.08(3), 4.09, 4.13(2), 4.14(1), Wis. Admin. Code, was repealed by 1983 Wis. Act 27 ss. 913i.

4. Related Statutes or Rules:

There are no related statutes or rules.

5. Plain Language Analysis:

Chapter TCS 4 provides guidance on the administrative hearing procedures for the WTCS board and districts. TCS 4.04(1), 4.07(2), 4.08(3), 4.09, 4.13(2), 4.14(1) outlines the WTCS Board appeal process for the WTCS districts to seek district budget limitations relief. This process is no longer needed since the budget limitation section of law was repealed.

Statutory authority for TCS 4.04(1), 4.07(2), 4.08(3), 4.09, 4.13(2), 4.14(1), Wis. Admin. Code, was repealed by 1983 Wis. Act 27 ss. 913i.

6. Agency Contact Person:

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TEXT OF RULE

Section 1. TCS 4.04(1) is repealed.
TCS 4.07(2) is repealed.
TCS 4.08(3) is repealed.
TCS 4.09 is repealed.
TCS 4.13(2) is repealed.
TCS 4.14(1) is repealed.

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