

CERTIFICATE

RECEIVED

DEC 9 1988

Revisor of Statutes
Bureau

STATE OF WISCONSIN)
)
BOARD OF VOCATIONAL, TECHNICAL AND ADULT EDUCATION)

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

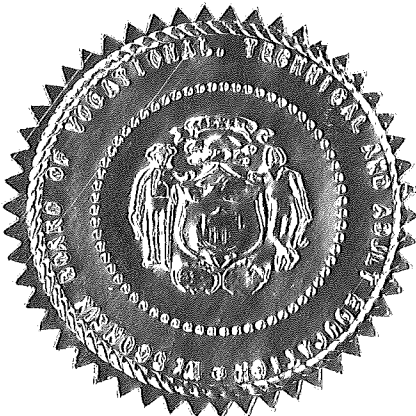
I, Robert P. Sorensen, State Director of the Board of Vocational, Technical and Adult Education, and custodian of the official records of said Board, do hereby certify that the annexed rules repealing, renumbering, repealing and recreating, and creating various sections of chapter VTAE 8, Wis. Admin. Code, relating to contracts for services by vocational, technical and adult education districts (Clearinghouse Rule 88-85) were duly approved and adopted by the Board on September 29, 1988.

I further certify that said copy has been compared by me with the original on file in this Board and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Board at 310 Price Place in the City of Madison this 6th day of December, 1988.

Robert P. Sorensen

Robert P. Sorensen
State Director



ORDER OF THE
BOARD OF VOCATIONAL, TECHNICAL AND
ADULT EDUCATION
ADOPTING, AMENDING AND REPEALING RULES
RELATING TO CONTRACTS FOR SERVICES

RECEIVED
DEC 9 1988
Revisor of Statutes
Bureau

The Wisconsin Board of Vocational, Technical and Adult Education proposes an order to repeal s. VTAE 8.04(6), to renumber ss. VTAE 8.02(2) through (8) and 8.04(7) through (9), to repeal and recreate ss. VTAE 8.03, 8.04(6) and 8.06(1); and to create s. VTAE 8.02(2) and (5), relating to contracts for services by vocational, technical and adult education districts.

ANALYSIS PREPARED BY THE BOARD OF VOCATIONAL, TECHNICAL AND ADULT EDUCATION.

Statutory Authority: ss. 38.04(14)(a)4 and 227.11(2)(a), Stats.

Statute Interpreted: ss. 38.14(c) (d) and (e), Stats.

1987 Wisconsin Act 27 renumbered to s.38.14(3)(c), Stats., as s. 38.14(3)(c)(intro.) and created ss. 38.14(3)(c)1 to 4 and (d) to allow vocational, technical and adult education districts to contract to provide services to foreign governments and businesses not operating within the state.

Additionally, 1985 Wisconsin Act 29 amended s. 38.14(3)(d) which was subsequently renumbered as s. 38.14(3)(e) by 1987

Wisconsin Act 403, to require VTAE districts to file a monthly report with the Board concerning contracts entered into rather than filing a copy of the contract.

This order brings existing rules into compliance with these changes.

Following is a summary of the changes to ch. VTAE 8 proposed by this order:

1. Section VTAE 8.02 is renumbered to accommodate two additions to the definitions.

2. Sections VTAE 8.02(2) and (5) are created to provide definitions for the terms "foreign government" and "business or industry operating within the state." The definition for a "business or industry operating within the state" is substantially the same language as was contained in former s. VTAE 8.03(2).

3. Section VTAE 8.03 is repealed and recreated to accommodate the creation of s. VTAE 8.02(5) defining a "business or industry operating within the state" and the subsequent renumbering of former s. VTAE 8.03(1).

4. Section VTAE 8.04(5) is repealed and recreated to permit contracting for services with foreign governments and businesses and industries not operating within the state and requires that VTAE district policies and procedures comply with the requirements of s. 38.14(3)(c), Stats., as created by 1987 Wisconsin Act 27.

5. Section VTAE 8.04(6) prohibiting contracts with foreign governments or any business or industry not operating in Wisconsin is repealed to conform the rule to the revised statute.

6. Sections VTAE 8.04(7), (8) and (9) are renumbered to accommodate the repeal of section VTAE 8.04(6).

7. Section VTAE 8.06(1) is repealed and recreated to conform with s. 38.14(3)(d), Stats., as amended by 1985 Wisconsin Act 29, and renumbered as s. 38.14(3)(e) by 1987 Wisconsin Act 403, which requires VTAE districts to file with the Board monthly report of contracts entered into rather than submitting copies of the contracts as was previously required.

1 SECTION 1. VTAE 8.02(2), (3), (4), (5), (6), (7) and (8) are
2 renumbered VTAE 8.02 (3), (4), (6), (7), (8), (9) and (10)
3 respectively.

4 SECTION 2. VTAE 8.02(2) and (5) are created to read:

5 VTAE 8.02(2). "Business or industry operating within the
6 state" means a business or industry subject to personal
7 jurisdiction of a court of this state under s. 801.05(1)(b)
8 to (d).

9 VTAE 8.02(5). "Foreign government" means any government
10 other than the federal government or any government of a state
11 or a political subdivision of a state.

12 SECTION 3. VTAE 8.03 is repealed and recreated to read:

13 VTAE 8.03 SERVICES OUTSIDE DISTRICT. A district board
14 contracting with a service recipient located outside the
15 district but within the state shall notify the district board

1 of the district where the service recipient is located of the
2 existence of the contract within 30 days of execution of the
3 contract.

4 SECTION 4. VTAE 8.04(5) is repealed and recreated to read:

5 VTAE 8.04(5). Require that all contracts with a foreign
6 government or any business or industry not operating within
7 the state comply with the requirements under s. 38.14(3)(c)
8 and (d) Stats.

9 SECTION 5. VTAE 8.04(6) is repealed.

10 SECTION 6. VTAE 8.04(7), (8) and (9) are renumbered VTAE
11 8.04(6), (7) and (8), respectively.

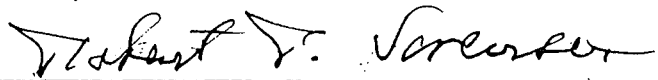
12 SECTION 7. VTAE 8.06(1) is repealed and recreated to read:

13 VTAE 8.06(1) Monthly, the district board shall submit to the
14 board a report as required under s. 38.14(3)(e), Stats.

The rules, amendments and repeals contained in this order shall take effect on the first day of the month following publication as provided in s. 227.22(2)(intro.), Stats.

DATE: September 30, 1988

WISCONSIN BOARD OF VOCATIONAL
TECHNICAL AND ADULT EDUCATION



Robert P. Sorensen, Ph.D.
State Director

Wisconsin Board of Vocational, Technical and Adult Education

310 Price Place

P.O. Box 7874

Madison, WI 53707

608-266-1207



Robert P. Sorensen, Ph. D.
State Director

December 6, 1988

RECEIVED

DEC 9 1988

Revisor of Statutes
Bureau

Mr. Orlan L. Prestegard
Revisor of Statutes
Suite 702
30 West Mifflin Street
Madison, WI 53703

RE: Clearinghouse Rule 88-85

Dear Mr. Prestegard:

Enclosed for filing and publication is a certified copy of an Order of The Board of Vocational, Technical and Adult Education repealing, renumbering, repealing and recreating and creating various sections of Chapter VTAE 8, Wis. Admin. Code, relating to contracts for services by vocational, technical and adult education districts, Clearinghouse Rule 88-85. Also enclosed is an additional copy of the Order for use as printer's copy.

Should you have any questions, please do not hesitate to contact me at 266-8171.

Sincerely,

A handwritten signature in cursive script, appearing to read "Edward S. Alschuler".

Edward S. Alschuler
Legal Counsel

ESA:skn

Enclosures

cc: Robert P. Sorensen
John R. Kroll
Edward Chin
Glenn Davison