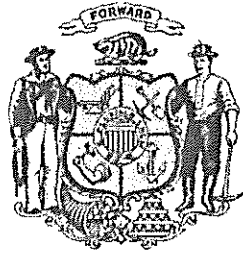


State of Wisconsin



2015 Senate Bill 21

Date of enactment: July 12, 2015

Date of publication*: July 13, 2015

2015 WISCONSIN ACT 55

(Vetoed in Part)

AN ACT relating to: state finances and appropriations, constituting the executive budget act of the 2015 legislature.

SECTION 1907p. 59.17 (2) (b) 7. of the statutes is created to read:

59.17 (2) (b) 7. Together with the commissioner of the opportunity schools and partnership program under subch. II of ch. 119, solicit private gifts and grants for use by the commissioner to further the purposes of the opportunity schools and partnership program under subch. II of ch. 119 and without oversight or approval of the county board.

SECTION 1923m. 59.796 of the statutes is created to read:

59.796 Milwaukee County; opportunity schools and partnership program. Notwithstanding s. 59.81, the board of any county with a population of 750,000 or more may not have access to or exercise oversight of any private gifts and grants received by the county executive under s. 59.17 (2) (b) 7.

CHAPTER 119 SUBCHAPTER II FIRST CLASS CITY OPPORTUNITY SCHOOLS AND PARTNERSHIP PROGRAM

119.9000 Definitions. In this subchapter:

- (1) "Commissioner" means the individual in charge of the opportunity schools and partnership program under this subchapter.
- (2) "Council" means the opportunity schools and partnership program advisory council.
- (3) "County" means a county having a population of 750,000 or more.
- (4) "County executive" means the chief elected official of a county.

(5) "Eligible school" means a public school in the school district operating under this chapter identified on the annual report submitted by the state superintendent under s. 115.28 (10m) (a).

119.9001 Commissioner of opportunity schools and partnership program; general provisions. (1)

The governor, the mayor of the city, and the county executive shall each appoint a person who is not an elected official to compile a list of candidates for the position of commissioner.

(2) (a) No later than 120 days after the effective date of this paragraph ... [LRB inserts date], the county executive shall select, from the list of qualified candidates provided under sub. (1), an individual to serve as the commissioner of the opportunity schools and partnership program.

(b) In the event of a vacancy in the commissioner position, the county executive shall notify the governor and the mayor of the city who shall follow the procedure under sub. (1). No later than 120 days after providing notice under this paragraph, the county executive shall select an individual to fill the vacant position.

(c) The commissioner shall report to the county executive and may be removed from office only by the county executive and only for cause.

(3) The commissioner is subject to all restrictions, liabilities, punishments, and limitations, other than recall under s. 9.10 (4), prescribed by law for members of the common council in their city.

(4) The commissioner shall be paid an annual salary in the amount set by the county executive.

(5) (a) The corporation counsel of the county shall be the legal adviser of and attorney for the commissioner and the opportunity schools and partnership program, except that the commissioner shall retain an attorney to represent the commissioner and the opportunity schools and partnership program in any matter if any of the following applies:

1. The county executive, the county corporation counsel, or the commissioner determines that the commissioner or the opportunity schools and partnership program requires specialized legal expertise not possessed by the county corporation counsel.

2. The county executive, the county corporation counsel, or the commissioner determines that the county corporation counsel does not have sufficient staff to adequately represent the interests of the commissioner or the opportunity schools and partnership program.

3. The county executive, the county corporation counsel, or the commissioner determines that a conflict of interest exists.

(b) The county corporation counsel shall notify the commissioner as soon as a determination is made under par. (a) that the county corporation counsel is unable to represent the commissioner.

(c) The commissioner shall provide the county corporation counsel with reasonable notice of any meeting at which the commissioner will consider retention of an attorney.