



Section
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cont.

1 ***b0238/4.6* SECTION 1998Lc.** 101.9209 of the statutes is created to read:

2 **101.9209 Transfer of interest in a mobile home.** (1) (a) If an owner
3 transfers an interest in a mobile home, other than by the creation of a security
4 interest, the owner shall, at the time of the delivery of the mobile home, execute an
5 assignment and warranty of title to the transferee in the space provided therefor on
6 the certificate, and cause the certificate to be mailed or delivered to the transferee.

7 (b) Any person who holds legal title of a mobile home with one or more other
8 persons may transfer ownership of the mobile home under this subsection if legal
9 title to the mobile home is held in the names of such persons in the alternative,
10 including a mobile home held in a form designating the holder by the words “(name
11 of one person) or (name of other person)”.

12 (2) Promptly after delivery to him or her of the mobile home, the transferee
13 shall execute the application for a new certificate of title in the space provided
14 therefor on the certificate or as the department prescribes, and cause the certificate
15 and application to be mailed or delivered to the department.

16 (3) A transfer by an owner is not effective until the provisions of this section
17 have been complied with. An owner who has delivered possession of the mobile home
18 to the transferee and has complied with the provisions of this section requiring action
19 by him or her is not liable as owner for any damages thereafter resulting from use
20 of the mobile home.

21 (4) Any owner of a mobile home for which a certificate of title has been issued,
22 who upon transfer of the mobile home fails to execute and deliver the assignment and
23 warranty of title required by sub. (1), may be required to forfeit not more than \$500.

1 (5) (a) Any transferee of a mobile home who fails to make application for a new
2 certificate of title immediately upon transfer to him or her of a mobile home may be
3 required to forfeit not more than \$200.

4 (b) Any transferee of a mobile home who, with intent to defraud, fails to make
5 application for a new certificate of title immediately upon transfer to him or her of
6 a mobile home may be fined not more than \$1,000 or imprisoned for not more than
7 30 days or both.

8 (c) A certificate is considered under this subsection to have been applied for
9 when the application accompanied by the required fee has been delivered to the
10 department or deposited in the mail properly addressed with postage prepaid.

11 ***b0238/4.6* SECTION 1998Lg.** 101.921 of the statutes is created to read:

12 **101.921 Transfer to or from dealer.** (1) (a) Except as provided in par. (b),
13 if a mobile home dealer acquires a mobile home and holds it for resale or accepts a
14 mobile home for sale on consignment, the mobile home dealer may not submit to the
15 department the certificate of title or application for certificate of title naming the
16 mobile home dealer as owner of the mobile home. Upon transferring the mobile home
17 to another person, the mobile home dealer shall immediately give the transferee, on
18 a form prescribed by the department, a receipt for all title, security interest and sales
19 tax moneys paid to the mobile home dealer for transmittal to the department when
20 required. The mobile home dealer shall promptly execute the assignment and
21 warranty of title, showing the name and address of the transferee and of any secured
22 party holding a security interest created or reserved at the time of the resale or sale
23 on consignment, in the spaces provided therefor on the certificate or as the
24 department prescribes. Within 7 business days following the sale or transfer, the
25 mobile home dealer shall mail or deliver the certificate or application for certificate

1 to the department with the transferee's application for a new certificate. A
2 nonresident who purchases a mobile home from a mobile home dealer in this state
3 may not, unless otherwise authorized by rule of the department, apply for a
4 certificate of title issued for the mobile home in this state unless the mobile home
5 dealer determines that a certificate of title is necessary to protect the interests of a
6 secured party. The mobile home dealer is responsible for determining whether a
7 certificate of title and perfection of security interest is required. The mobile home
8 dealer is liable for any damages incurred by the department or any secured party for
9 the mobile home dealer's failure to perfect a security interest which the mobile home
10 dealer had knowledge of at the time of sale.

11 (b) Except when all available spaces for a mobile home dealer's reassignment
12 on a certificate of title have been completed or as otherwise authorized by rules of the
13 department, a mobile home dealer who acquires a mobile home and holds it for resale
14 or accepts a mobile home for sale on consignment may not apply for a certificate of
15 title naming the mobile home dealer as owner of the mobile home.

16 (c) Unless exempted by rule of the department, a mobile home dealer who
17 acquires a mobile home and holds it for resale shall make application for a certificate
18 of title naming the mobile home dealer as owner of the mobile home when all of the
19 available spaces for a mobile home dealer's reassignment on the certificate of title
20 for such mobile home have been completed.

21 **(2)** Every mobile home dealer shall maintain for 5 years a record of every mobile
22 home bought, sold or exchanged, or received for sale or exchange. The record shall
23 be open to inspection by a representative of the department or by a peace officer
24 during reasonable business hours. The dealer shall maintain the record in the form
25 prescribed by the department.

1 (3) Any mobile home dealer who fails to comply with this section may be
2 required to forfeit not more than \$200.

3 ***b0238/4.6* SECTION 1998LL.** 101.9211 of the statutes is created to read:

4 **101.9211 Involuntary transfers.** (1) If the interest of an owner in a mobile
5 home passes to another other than by voluntary transfer, the transferee shall, except
6 as provided in sub. (2), promptly mail or deliver to the department the last certificate
7 of title, if available, and the documents required by the department to legally effect
8 such transfer, and an application for a new certificate in the form that the
9 department prescribes.

10 (2) If the interest of the owner is terminated or the mobile home is sold under
11 a security agreement by a secured party named in the certificate of title, the
12 transferee shall promptly mail or deliver to the department the last certificate of
13 title, an application for a new certificate in the form that the department prescribes,
14 and a statement made by or on behalf of the secured party that the mobile home was
15 repossessed and that the interest of the owner was lawfully terminated or sold under
16 the terms of the security agreement.

17 (3) A person holding a certificate of title whose interest in the mobile home has
18 been extinguished or transferred other than by voluntary transfer shall mail or
19 deliver the certificate to the department upon request of the department. The
20 delivery of the certificate pursuant to the request of the department does not affect
21 the rights of the person surrendering the certificate, and the action of the department
22 in issuing a new certificate of title is not conclusive upon the rights of an owner or
23 secured party named in the old certificate.

1 (4) (a) In all cases of the transfer of a mobile home owned by a decedent, except
2 under par. (b), ward, trustee or bankrupt, the department shall accept as sufficient
3 evidence of the transfer of ownership all of the following:

4 1. Evidence satisfactory to the department of the issuance of the letters of
5 administration, letters testamentary, letters of guardianship, letters of trust or
6 appointment of the trustee in bankruptcy.

7 2. The title executed by such administrator, executor, guardian or trustee.

8 (b) 1. The department shall transfer the decedent's interest in any mobile home
9 to his or her surviving spouse upon receipt of the title executed by the surviving
10 spouse and a statement by the spouse which shall state all of the following:

11 a. The date of death of the decedent.

12 b. The approximate value and description of the mobile home.

13 c. That the spouse is personally liable for the decedent's debts and charges to
14 the extent of the value of the mobile home, subject to s. 859.25.

15 2. The transfer shall not affect any liens upon the mobile home.

16 3. Except as provided in subd. 4., this paragraph is limited to no more than 5
17 mobile homes titled in this state that are less than 20 years old at the time of the
18 transfer under this paragraph. There is no limit on transfer under this paragraph
19 of mobile homes titled in this state that are 20 or more years old at the time of transfer
20 under this paragraph.

21 4. The limit in subd. 3. does not apply if the surviving spouse is proceeding
22 under s. 867.03 (1g) and the total value of the decedent's solely owned property in the
23 state, including the mobile homes transferred under this paragraph, does not exceed
24 \$10,000.

1 (c) Upon compliance with this subsection, the department shall bear neither
2 liability nor responsibility for the transfer of such mobile homes in accordance with
3 this section.

4 (d) This subsection does not apply to transfer of interest in a mobile home under
5 s. 101.9209 (1) (b).

6 ***b0238/4.6* SECTION 1998Lp.** 101.9212 of the statutes is created to read:

7 **101.9212 When department to issue a new certificate.** (1) The
8 department, upon receipt of a properly assigned certificate of title, with an
9 application for a new certificate of title, the required fee and any other transfer
10 documents required by law, to support the transfer, shall issue a new certificate of
11 title in the name of the transferee as owner.

12 (2) The department, upon receipt of an application for a new certificate of title
13 by a transferee other than by voluntary transfer, with proof of the transfer, the
14 required fee and any other documents required by law, shall issue a new certificate
15 of title in the name of the transferee as owner. If the transfer constituted a
16 termination of the owner's interest or a sale under a security agreement by a secured
17 party named in the certificate, under s. 101.9211 (2), the new certificate shall be
18 issued free of the names and addresses of the secured party who terminated the
19 owner's interest and of all secured parties subordinate under s. 101.9213 to such
20 secured party. If the outstanding certificate of title is not delivered to it, the
21 department shall make demand therefor from the holder of such certificate.

22 (3) The department shall retain for 5 years a record of every surrendered
23 certificate of title, the record to be maintained so as to permit the tracing of title of
24 the mobile home designated therein.

25 ***b0238/4.6* SECTION 1998Lt.** 101.9213 of the statutes is created to read:

1 **101.9213 Perfection of security interests.** (1) Unless excepted by s.
2 101.9202, a security interest in a mobile home of a type for which a certificate of title
3 is required is not valid against creditors of the owner or subsequent transferees or
4 secured parties of the mobile home unless perfected as provided in ss. 101.9202 to
5 101.9218.

6 (2) Except as provided in sub. (3), a security interest is perfected by the delivery
7 to the department of the existing certificate of title, if any, an application for a
8 certificate of title containing the name and address of the secured party, and the
9 required fee. The security interest is perfected as of the time of its creation if such
10 delivery is completed within 10 days after the time that the security interest is
11 created, and without regard to the limitations expressed in s. 409.301 (2). If the
12 delivery is not completed within 10 days after the time that the security interest is
13 created, the security interest is perfected as of the time of such delivery.

14 (3) If a secured party whose name and address is contained on the certificate
15 of title for a mobile home acquires a new or additional security interest in the mobile
16 home, such security interest is perfected at the time of its attachment under s.
17 409.203.

18 (4) An unperfected security interest is subordinate to the rights of persons
19 described in s. 409.301.

20 (5) The rules of priority stated in s. 409.312, and the other sections therein
21 referred to, shall, to the extent appropriate, apply to conflicting security interests in
22 a mobile home of a type for which a certificate of title is required, or in a previously
23 certificated mobile home, as defined in s. 101.9222 (1). A security interest perfected
24 under this section or under s. 101.9222 (4) or (5) is a security interest perfected
25 otherwise than by filing for purposes of s. 409.312.

1 (6) The rules stated in ss. 409.501 to 409.507 governing the rights and duties
2 of secured parties and debtors and the requirements for, and effect of, disposition of
3 a mobile home by a secured party, upon default shall, to the extent appropriate,
4 govern the rights of secured parties and owners with respect to security interests in
5 mobile homes perfected under ss. 101.9202 to 101.9218.

6 (7) If a mobile home is subject to a security interest when brought into this
7 state, s. 409.103 (1), (2) and (3) states the rules which apply to determine the validity
8 and perfection of the security interest in this state.

9 (8) Upon request of a person who has perfected a security interest under this
10 section, as shown by the records of the department, in a mobile home titled in this
11 state, whenever the department receives information from another state that the
12 mobile home is being titled in the other state and the information does not show that
13 the security interest has been satisfied, the department shall notify the person. The
14 person shall pay the department a \$2 fee for each notification.

15 ***b0238/4.6* SECTION 1998Lx.** 101.9214 of the statutes is created to read:

16 **101.9214 Duties on creation of security interest.** If an owner creates a
17 security interest in a mobile home, unless the name and address of the secured party
18 already is contained on the certificate of title for the mobile home:

19 (1) The owner shall immediately execute, in the space provided therefor on the
20 certificate of title or on a separate form or in an automated format prescribed by the
21 department, an application to name the secured party on the certificate, showing the
22 name and address of the secured party, and cause the certificate, application and the
23 required fee to be delivered to the secured party.

24 (2) The secured party shall immediately cause the certificate, the application
25 and the required fee to be mailed or delivered to the department.

1 (3) Upon receipt of the certificate of title, the application and the required fee,
2 the department shall issue to the owner a new certificate containing the name and
3 address of the new secured party. The department shall deliver to the new secured
4 party and to the register of deeds of the county of the owner's residence memoranda,
5 in such form as the department prescribes, evidencing the notation of the security
6 interest upon the certificate; and thereafter, upon any assignment, termination or
7 release of the security interest, additional memoranda evidencing such action.

8 (4) The registers of deeds may record, and maintain a file of, all memoranda
9 received from the department under sub. (3). Such recording, however, is not
10 required for perfection, release or assignment of security interests, which shall be
11 effective upon compliance with ss. 101.9213 (2), 101.9215 and 101.9216 (1) and (2).

12 ***b0238/4.6* SECTION 1998pc.** 101.9215 of the statutes is created to read:

13 **101.9215 Assignment of security interest.** (1) A secured party may assign,
14 absolutely or otherwise, the party's security interest in the mobile home to a person
15 other than the owner without affecting the interest of the owner or the validity of the
16 security interest, but any person without notice of the assignment is protected in
17 dealing with the secured party as the holder of the security interest and the secured
18 party remains liable for any obligations as a secured party until the assignee is
19 named as secured party on the certificate.

20 (2) The assignee may but need not, to perfect the assignment, have the
21 certificate of title endorsed or issued with the assignee named as secured party, upon
22 delivering to the department the certificate and an assignment by the secured party
23 named in the certificate in the form that the department prescribes.

24 ***b0238/4.6* SECTION 1998pg.** 101.9216 of the statutes is created to read:

1 **101.9216 Release of security interest.** (1) Within one month or within 10
2 days following written demand by the debtor after there is no outstanding obligation
3 and no commitment to make advances, incur obligations or otherwise give value,
4 secured by the security interest in a mobile home under any security agreement
5 between the owner and the secured party, the secured party shall execute and deliver
6 to the owner, as the department prescribes, a release of the security interest in the
7 form and manner prescribed by the department and a notice to the owner stating in
8 no less than 10–point boldface type the owner’s obligation under sub. (2). If the
9 secured party fails to execute and deliver the release and notice of the owner’s
10 obligation as required by this subsection, the secured party is liable to the owner for
11 \$25 and for any loss caused to the owner by the failure.

12 (2) The owner, other than a mobile home dealer holding the mobile home for
13 resale, upon receipt of the release and notice of obligation shall promptly cause the
14 certificate and release to be mailed or delivered to the department, which shall
15 release the secured party’s rights on the certificate and issue a new certificate.

16 (3) The department may remove information pertaining to a security interest
17 perfected under s. 101.9213 from its records when 20 years after the original
18 perfection has elapsed unless the security interest is renewed in the same manner
19 as provided in s. 101.9213 (2) for perfection of a security interest.

20 (4) Removal of information pertaining to a security interest from the records
21 of the department under sub. (3) does not affect any security agreement between the
22 owner of a mobile home and the holder of security interest in the mobile home.

23 ***b0238/4.6* SECTION 1998pL.** 101.9217 of the statutes is created to read:

24 **101.9217 Secured party’s and owner’s duties.** (1) A secured party named
25 in a certificate of title shall, upon written request of the owner or of another secured

1 party named on the certificate, disclose any pertinent information as to the party's
2 security agreement and the indebtedness secured by it.

3 (2) (a) An owner shall promptly deliver the owner's certificate of title to any
4 secured party who is named on it or who has a security interest in the mobile home
5 described in it under any other applicable prior law of this state, upon receipt of a
6 notice from such secured party that the security interest is to be assigned, extended
7 or perfected. Any owner who fails to deliver the certificate of title to a secured party
8 requesting it under this paragraph shall be liable to such secured party for any loss
9 caused to the secured party thereby and may be required to forfeit not more than
10 \$200.

11 (b) No secured party may take possession of any certificate of title except as
12 provided in par. (a). Any person who violates this paragraph may be required to
13 forfeit not more than \$1,000.

14 (3) Any secured party who fails to disclose information under sub. (1) shall be
15 liable for any loss caused to owner thereby.

16 *b0238/4.6* SECTION 1998pp. 101.9218 of the statutes is created to read:

17 **101.9218 Method of perfecting exclusive.** The method provided in ss.
18 101.921 to 101.9218 of perfecting and giving notice of security interests subject to ss.
19 101.921 to 101.9218 is exclusive. Security interests subject to ss. 101.921 to 101.9218
20 are hereby exempted from the provisions of law which otherwise require or relate to
21 the filing of instruments creating or evidencing security interests.

22 *b0238/4.6* SECTION 1998pt. 101.9219 of the statutes is created to read:

23 **101.9219 Withholding certificate of title; bond.** (1) The department may
24 not issue a certificate of title until the outstanding evidence of ownership is
25 surrendered to the department.

1 (2) If the department is not satisfied as to the ownership of the mobile home
2 or that there are no undisclosed security interests in it, the department, subject to
3 sub. (3), shall either:

4 (a) Withhold issuance of a certificate of title until the applicant presents
5 documents reasonably sufficient to satisfy the department as to the applicant's
6 ownership of the mobile home and that there are no undisclosed security interests
7 in it; or

8 (b) Issue a distinctive certificate of title pursuant to s. 101.9206 (3) or 101.9222
9 (3).

10 (3) Notwithstanding sub. (2), the department may issue a nondistinctive
11 certificate of title if the applicant fulfills either of the following requirements:

12 (a) The applicant is a mobile home dealer licensed under s. 101.951 and is
13 financially responsible as substantiated by the last financial statement on file with
14 the department, a finance company licensed under s. 138.09 or 218.01, a bank
15 organized under the laws of this state, or a national bank located in this state.

16 (b) The applicant has filed with the department a bond in the form prescribed
17 by the department and executed by the applicant, and either accompanied by the
18 deposit of cash with the department or also executed by a person authorized to
19 conduct a surety business in this state. The bond shall be in an amount equal to 1.5
20 times the value of the mobile home as determined by the department and conditioned
21 to indemnify any prior owner and secured party and any subsequent purchaser of the
22 mobile home or person acquiring any security interest in it, and their respective
23 successors in interest, against any expense, loss or damage, including reasonable
24 attorney fees, by reason of the issuance of the certificate of title of the mobile home
25 or on account of any defect in or undisclosed security interest upon the right, title and

1 interest of the applicant in and to the mobile home. Any such interested person has
2 a right of action to recover on the bond for any breach of its conditions, but the
3 aggregate liability of the surety to all persons shall not exceed the amount of the
4 bond. The bond, and any deposit accompanying it, shall be returned at the end of 5
5 years or prior thereto if, apart from this section, a nondistinctive certificate of title
6 could then be issued for the mobile home, or if the mobile home is no longer registered
7 in this state and the currently valid certificate of title is surrendered to the
8 department, unless the department has been notified of the pendency of an action
9 to recover on the bond.

10 ***b0238/4.6* SECTION 1998px.** 101.922 of the statutes is created to read:

11 **101.922 Suspension or revocation of certificate.** (1) The department
12 shall suspend or revoke a certificate of title if it finds any of the following:

13 (a) That the certificate of title was fraudulently procured, erroneously issued
14 or prohibited by law.

15 (b) That the mobile home has been scrapped, dismantled or destroyed.

16 (c) That a transfer of title is set aside by a court of record by order or judgment.

17 (2) Suspension or revocation of a certificate of title does not, in itself, affect the
18 validity of a security interest noted on it.

19 (3) When the department suspends or revokes a certificate of title, the owner
20 or person in possession of it shall, immediately upon receiving notice of the
21 suspension or revocation, mail or deliver the certificate to the department.

22 (4) The department may seize and impound any certificate of title which has
23 been suspended or revoked.

24 ***b0238/4.6* SECTION 1998tc.** 101.9221 of the statutes is created to read:

1 **101.9221 Grounds for refusing issuance of certificate of title.** The
2 department shall refuse issuance of a certificate of title if any required fee has not
3 been paid or for any of the following reasons:

4 (1) The department has reasonable grounds to believe that:

5 (a) The person alleged to be the owner of the mobile is not the owner.

6 (b) The application contains a false or fraudulent statement.

7 (2) The applicant has failed to furnish any of the following:

8 (a) If applicable, the power of attorney required under 15 USC 1988 or rules
9 of the department.

10 (b) Any other information or documents required by law or by the department
11 pursuant to authority of law.

12 (3) The applicant is a mobile home dealer and is prohibited from applying for
13 a certificate of title under s. 101.921 (1) (a) or (b).

14 (4) Except as provided in ss. 101.9203 (3) and 101.921 (1) (a) for a certificate
15 of title and registration for a mobile home owned by a nonresident, the applicant is
16 a nonresident and the issuance of a certificate of title has not otherwise been
17 authorized by rule of the department.

18 ***b0238/4.6* SECTION 1998tg.** 101.9222 of the statutes is created to read:

19 **101.9222 Previously certificated mobile homes.** (1) In this section,
20 “previously certificated mobile home” means a mobile home for which a certificate
21 of title has been issued by the department of transportation prior to July 1, 2000.

22 (2) Sections 101.9213 to 101.9218 do not apply to a previously certificated
23 mobile home until one of the following occurs:

24 (a) There is a transfer of ownership of the mobile home.

1 (b) The department of commerce issues a certificate of title of the mobile home
2 under this chapter.

3 (3) If the department is not satisfied that there are no undisclosed security
4 interests, created before July 1, 2000, in a previously certificated mobile home, the
5 department shall, unless the applicant fulfills the requirements of s. 101.9219 (3),
6 issue a distinctive certificate of title of the mobile home containing the legend "This
7 mobile home may be subject to an undisclosed security interest" and any other
8 information that the department prescribes.

9 (4) After July 1, 2000, a security interest in a previously certificated vehicle
10 may be created and perfected only by compliance with ss. 101.9213 and 101.9218.

11 (5)(a) If a security interest in a previously certificated mobile home is perfected
12 under any other applicable law of this state on July 1, 2000, the security interest
13 continues perfected:

14 1. Until its perfection lapses under the law under which it was perfected, or
15 until its perfection would lapse in the absence of a further filing or renewal of filing,
16 whichever occurs sooner.

17 2. If, before the security interest lapses as described in subd. 1., there is
18 delivered to the department the existing certificate of title together with the
19 application and fee required by s. 101.9214 (1). In such case the department shall
20 issue a new certificate pursuant to s. 101.9214 (3).

21 (b) If a security interest in a previously certificated mobile home was created,
22 but was unperfected, under any other applicable law of this state on July 1, 2000, it
23 may be perfected under par. (a), but such perfection dates only from the date of the
24 department's receipt of the certificate.

25 *b0238/4.6* SECTION 1998tL. 101.9223 of the statutes is created to read:

1 **101.9223 Registration of mobile homes.** (1) DEFINITION. In this section,
2 “owner” means, with respect to a mobile home that is leased to a lessee for a period
3 of one year or more, the lessee of the mobile home for purposes of mobile home
4 registration under this section.

5 (2) APPLICATION FOR REGISTRATION. (a) Application for original registration and
6 for renewal of registration shall be made to the department upon forms prescribed
7 by it and shall be accompanied by the required fee.

8 (b) Applications for original registration of a mobile home shall contain the
9 following information:

10 1. The name of the owner.

11 2. If the owner under subd. 1. is a lessee, the name of the lessor.

12 3. The name of the town, city or village in which the owner resides and, if the
13 owner resides in a 1st or 2nd class city, the owner’s true residential or business
14 address.

15 4. If applicable, the name of the town, city or village in which the lessor resides
16 and, if the lessor resides in a 1st or 2nd class city, the lessor’s true residential or
17 business address.

18 5. A description of the mobile home, including make, model, identification
19 number and any other information which the department may reasonably require
20 for proper identification of the mobile home.

21 6. The city, village or town and the county in which the mobile home is
22 customarily situated.

23 7. Such further information as the department may reasonably require to
24 enable it to determine whether the mobile home is by law entitled to registration or
25 to enable it to determine the proper applicant or registration fee for the mobile home.

1 (c) The department may accept an application and complete registration of a
2 mobile home when the evidence of ownership is held by a nonresident lienholder or
3 for other reason is not immediately available and the department is satisfied as to
4 ownership of the mobile home. The title fee shall be collected at the time of
5 registration and retained even though certificate of title is not issued.

6 (d) Applications for renewal of registration shall contain the information
7 required in par. (b) for original applications or such parts thereof as the department
8 considers necessary to ensure the proper registration of the mobile home. The
9 department may require that applications for renewal of registration be
10 accompanied by the certificate of title issued for the mobile home only when the true
11 ownership or proper registration of the mobile home is in doubt and cannot be
12 resolved from records maintained by the department.

13 (e) At least 30 days prior to the expiration of a mobile home's registration, the
14 department shall mail to the last-known address of the registrant a notice of the date
15 upon which the registration must be renewed and an application form for renewal
16 of registration.

17 (f) The department shall supply the clerk of each county with blank application
18 forms for original registration of mobile homes.

19 (g) If the applicant for a certificate of registration is under 18 years of age, the
20 application shall be accompanied by a statement made and signed by either of the
21 applicant's parents, if such parent has custody of the minor; or, if neither parent has
22 custody, then by the person having custody, stating that the applicant has the
23 signer's consent to register the mobile home in the applicant's name. Any person who
24 violates this subsection may be required to forfeit not more than \$200.

1 (h) A mobile home's registration does not expire on the date of expiration of its
2 registration if, on that date of expiration, the registrant is on active duty in the U.S.
3 armed forces and is absent from this state. Any registration extended under this
4 paragraph expires 30 days after the registrant returns to this state or 90 days after
5 the registrant is discharged from active duty, whichever is earlier. If a registration
6 is renewed after an extension under this subsection, the renewal period shall begin
7 on the day after the date of expiration of registration.

8 (3) GROUNDS FOR REFUSING REGISTRATION. The department shall refuse
9 registration of a mobile home under any of the following circumstances:

10 (a) The required state fee and any municipal mobile home registration fee
11 imposed by the town, village or city in which the mobile home is customarily situated
12 has not been paid for the mobile home, and the department may refuse registration
13 of a mobile home if such fees for the current period or for any previous period for
14 which payment of a registration fee is required by law have not been paid on any
15 other mobile homes owned by the applicant for registration.

16 (b) The applicant has failed to furnish any of the following:

17 1. If applicable, the power of attorney required under 15 USC 1988 or rules of
18 the department.

19 2. Other information or documents required by law or by the department
20 pursuant to authority of law.

21 (c) A certificate of title is a prerequisite to registration of the mobile home and,
22 except for an applicant who is the lessee of a mobile home, a valid certificate of title
23 has not been issued to the applicant for the mobile home and the applicant is not
24 entitled to the issuance of a certificate of title.

1 (d) A court has notified the department under s. 345.47 (1) (d) that a judgment
2 has been entered against the applicant and the judgment remains unpaid.

3 (4) CONTENTS AND ISSUANCE OF CERTIFICATE OF REGISTRATION; ISSUANCE OF
4 DUPLICATE CERTIFICATE. (a) Except as provided in par. (b) the department upon
5 registering a mobile home shall issue and deliver to the owner a certificate of
6 registration. The certificate shall contain the name, residence and address of the
7 owner, a brief description of the mobile home, the registration number assigned and
8 the date of expiration of registration. The certificate shall be in such form and may
9 contain such additional information as the department considers advisable.

10 (b) The department shall issue a duplicate certificate of registration upon
11 application therefor by any person in whose name the mobile home is registered and
12 upon payment of a fee of \$2.

13 (5) DESIGN, PROCUREMENT AND ISSUANCE OF REGISTRATION PLATES. (a) The
14 department upon registering a mobile home under this section shall issue and
15 deliver prepaid to the applicant one registration plate, unless the department
16 determines that 2 plates will better serve the interests of law enforcement.

17 (b) The department shall purchase plates from the Waupun correctional
18 institution unless otherwise approved by the governor. Subject to any specific
19 requirements which may be imposed by statute, the department shall determine the
20 size, color and design of registration plates with a view toward making them visible
21 evidence of the period for which the mobile home is registered and the fee class into
22 which the mobile home falls as well as making them a ready means of identifying the
23 specific mobile home or owner for which the plates were issued.

24 (c) All registration plates shall have displayed upon them the following:

1 1. The registration number assigned to the mobile home or owner. The
2 registration number shall be composed of numbers or letters or both.

3 2. The name “Wisconsin” or abbreviation “Wis”.

4 3. An indication of the period for which the specific plate is issued or the date
5 of expiration of registration.

6 **(6) ISSUANCE OF REPLACEMENT PLATE.** (a) Whenever a current registration plate
7 is lost or destroyed, the owner of the mobile home to which the plate was attached
8 shall immediately apply to the department for replacement. Upon satisfactory proof
9 of the loss or destruction of the plate and upon payment of a fee of \$2 for each plate,
10 the department shall issue a replacement.

11 (b) Whenever a current registration plate becomes illegible, the owner of the
12 mobile home to which the plate is attached shall apply to the department for a
13 replacement. Upon receipt of satisfactory proof of illegibility, and upon payment of
14 a fee of \$2 for each plate, the department shall issue a replacement. Upon receipt of
15 a replacement plate, the applicant shall destroy the illegible plate.

16 (c) When issuing a replacement plate, the department may assign a new
17 number and issue a new plate rather than a duplicate of the original if in its
18 judgment that is in the best interests of economy or prevention of fraud. Upon receipt
19 of a replacement plate, the applicant shall destroy all plates replaced.

20 (d) Any person issued replacement plates who fails to destroy the original
21 plates as required by par. (b) or (c) may be required to forfeit not more than \$200.

22 (e) This subsection does not apply to plates issued pursuant to the law
23 pertaining to the registration of mobile home dealers, distributors, as defined in s.
24 340.01 (14), mobile home manufacturers or transporters, as defined in s. 340.01 (72).

1 **(7) ANNUAL REGISTRATION FEES.** An applicant for registration under this section
2 shall pay a fee of \$15 to the department for the annual registration of each mobile
3 home.

4 **(8) FRAUDULENT APPLICATION FOR REGISTRATION OR LICENSE.** Any person who
5 gives a false or fictitious name, address or location where a mobile home is
6 customarily situated in an application for license or registration or who makes
7 application for license or registration in the name of a person other than the true
8 owner, or true owner and lessee, may be fined not more than \$200 or imprisoned for
9 not more than 6 months or both.

10 **(9) UNLAWFUL TRANSFER OF EVIDENCE OF REGISTRATION.** (a) Except as authorized
11 by the department, no person may transfer to another person or offer for sale a
12 registration plate, decal or other evidence of registration issued by the department.

13 (b) No person may transfer to another person or offer for sale a counterfeit,
14 forged or fictitious registration plate, decal or other evidence of registration.

15 (c) Whoever violates par. (a) or (b) may be fined not more than \$5,000 or
16 imprisoned for not more than 7 years and 6 months, or both, for each violation.

17 **(10) IMPROPER USE OF EVIDENCE OF REGISTRATION.** Any person who does any of
18 the following may be required to forfeit not more than \$500:

19 (a) Lends to another a registration plate, decal or other evidence of registration
20 for display upon a mobile home for which the plate, tag, decal or other evidence of
21 registration has not been issued.

22 (b) Displays upon a mobile home a registration plate, decal or other evidence
23 of registration not issued for such mobile home or not otherwise authorized by law
24 to be used thereon.

1 (c) Wilfully twists, paints, alters or adds to or cuts off any portion of a
2 registration plate, decal or other evidence of registration; or who places or deposits,
3 or causes to be placed or deposited on such plate, decal or other evidence of
4 registration any substance to hinder the normal reading of such plate, decal or other
5 evidence of registration; or who defaces, disfigures, covers, obstructs, changes or
6 attempts to change any letter or figure thereon; or who causes such plate, decal or
7 other evidence of registration to appear to be a different color.

8 (d) Possesses a fraudulently or unlawfully obtained registration plate, insert
9 tag, decal or other evidence of registration.

10 (e) Possesses a counterfeit registration plate, decal or other evidence of
11 registration.

12 **(11) REPRODUCING EVIDENCE OF REGISTRATION PROHIBITED.** Except as authorized
13 by the department, any person who reproduces, by any means whatever, a
14 registration plate, decal or other evidence of registration shall forfeit not less than
15 \$200 nor more than \$500.

16 **(12) FALSE EVIDENCE OF REGISTRATION.** Whoever possesses a mobile home having
17 attached thereto any plate or similar device fashioned in imitation or facsimile of or
18 altered so as to resemble a registration plate issued by the department may be
19 required to forfeit not more than \$500.

20 **(13) WHEN REGISTRATION TO BE SUSPENDED.** (a) The department shall suspend
21 the registration of a mobile home when:

22 1. The registration was completed through fraud or error and the person who
23 registered the mobile home does not or cannot register the mobile home properly.

24 2. The required fee has not been paid and the same is not paid upon reasonable
25 notice and demand.

1 (b) Any registration suspended under this subsection continues to be
2 suspended until reinstated by the department. The department shall reinstate the
3 registration when the reason for the suspension has been removed.

4 (c) Whenever the registration of a mobile home is suspended under this
5 subsection, the department may order the owner or person in possession of the
6 registration plates to return them to the department. Any person who fails to return
7 the plates when ordered to do so by the department may be required to forfeit not
8 more than \$200.

9 ***b0238/4.6* SECTION 1998tp.** 101.94 (8) (a) of the statutes is amended to read:

10 101.94 (8) (a) ~~A~~ Except as provided in par. (c), a person who violates this
11 subchapter or, a rule promulgated under this subchapter or an order issued under
12 this subchapter shall forfeit not more than \$1,000 for each violation. Each violation
13 of this subchapter constitutes a separate violation with respect to each
14 manufactured home or mobile home or with respect to each failure or refusal to allow
15 or perform an act required by this subchapter, except the maximum forfeiture under
16 this subsection may not exceed \$1,000,000 for a related series of violations occurring
17 within one year of the first violation.

18 ***b0238/4.6* SECTION 1998tt.** 101.94 (8) (c) of the statutes is created to read:

19 101.94 (8) (c) A person who violates s. 101.935, a rule promulgated under s.
20 101.935 or an order issued under s. 101.935 may be required to forfeit not less than
21 \$10 nor more than \$250 for each violation. Each day of continued violation
22 constitutes a separate violation.

23 ***b0238/4.6* SECTION 1998tx.** 101.951 of the statutes is created to read:

1 **101.951 Mobile home dealers regulated.** (1) No person may engage in the
2 business of selling mobile homes to a consumer or to the retail market in this state
3 unless first licensed to do so by the department as provided in this section.

4 (2) (a) Application for a license or a renewal license shall be made to the
5 department on forms prescribed and furnished by the department, accompanied by
6 the license fee required under par. (c) or (d).

7 (b) 1. The department shall, by rule, establish the license period under this
8 section.

9 2. The department may promulgate rules establishing a uniform expiration
10 date for all licenses issued under this section.

11 (c) Except as provided in par. (d), the fee for a license issued under this section
12 equals \$50 multiplied by the number of years in the license period. The fee shall be
13 prorated if the license period is not evenly divisible into years.

14 (d) If the department issues a license under this section during the license
15 period, the fee for the license shall equal \$50 multiplied by the number of calendar
16 years, including parts of calendar years, during which the license remains in effect.
17 A fee determined under this paragraph may not exceed the license fee for the entire
18 license period under par. (c).

19 (3) The department shall issue a license only to a person whose character,
20 fitness and financial ability, in the opinion of the department, are such as to justify
21 the belief that the person can and will deal with and serve the buying public fairly
22 and honestly, will maintain a permanent office and place of business in this state
23 during the license year and will abide by all of the provisions of law and lawful orders
24 of the department.

1 (5) A licensee shall conduct the licensed business continuously during the
2 license year.

3 (6) The department may deny, suspend or revoke a license on any of the
4 following grounds:

5 (a) Proof of unfitness.

6 (b) A material misstatement in the application for the license.

7 (c) Filing a materially false or fraudulent income or franchise tax return as
8 certified by the department of revenue.

9 (d) Wilful failure to comply with any provision of this section or any rule
10 promulgated by the department under this section.

11 (e) Wilfully defrauding any retail buyer to the buyer's damage.

12 (f) Wilful failure to perform any written agreement with any retail buyer.

13 (g) Failure or refusal to furnish and keep in force any bond required.

14 (h) Having made a fraudulent sale, transaction or repossession.

15 (i) Fraudulent misrepresentation, circumvention or concealment, through any
16 subterfuge or device, of any of the material particulars or the nature thereof required
17 hereunder to be stated or furnished to the retail buyer.

18 (j) Use of fraudulent devices, methods or practices in connection with
19 compliance with the statutes with respect to the retaking of goods under retail
20 instalment contracts and the redemption and resale of such goods.

21 (k) Having indulged in any unconscionable practice relating to said business.

22 (m) Having sold a retail instalment contract to a sales finance company, as
23 defined in s. 218.01 (1) (v), that is not licensed under s. 218.01.

24 (n) Having violated any law relating to the sale, distribution or financing of
25 mobile homes.

1 (7) (a) The department of commerce may, without notice, deny the application
2 for a license within 60 days after receipt thereof by written notice to the applicant,
3 stating the grounds for the denial. Within 30 days after such notice, the applicant
4 may petition the department of administration to conduct a hearing to review the
5 denial, and a hearing shall be scheduled with reasonable promptness. The division
6 of hearings and appeals shall conduct the hearing. This paragraph does not apply
7 to denials of applications for licenses under s. 101.02 (21).

8 (b) No license may be suspended or revoked except after a hearing thereon. The
9 department of commerce shall give the licensee at least 5 days' notice of the time and
10 place of the hearing. The order suspending or revoking such license shall not be
11 effective until after 10 days' written notice thereof to the licensee, after such hearing
12 has been had; except that the department of commerce, when in its opinion the best
13 interest of the public or the trade demands it, may suspend a license upon not less
14 than 24 hours' notice of hearing and with not less than 24 hours' notice of the
15 suspension of the license. Matters involving suspensions and revocations brought
16 before the department of commerce shall be heard and decided upon by the
17 department of administration. The division of hearings and appeals shall conduct
18 the hearing. This paragraph does not apply to licenses that are suspended or revoked
19 under s. 101.02 (21).

20 (c) The department of commerce may inspect the pertinent books, records,
21 letters and contracts of a licensee. The actual cost of each such examination shall
22 be paid by such licensee so examined within 30 days after demand therefor by the
23 department, and the department may maintain an action for the recovery of such
24 costs in any court of competent jurisdiction.

1 (8) Any person who violates any provision of this section shall be fined not less
2 than \$25 nor more than \$100 for each offense.

3 ***b0238/4.6* SECTION 1998xc.** 101.952 of the statutes is created to read:

4 **101.952 Mobile home salespersons regulated.** (1) No person may engage
5 in the business of selling mobile homes to a consumer or to the retail market in this
6 state without a license therefor from the department. If a mobile home dealer acts
7 as a mobile home salesperson the dealer shall secure a mobile home salesperson's
8 license in addition to the license for engaging as a mobile home dealer.

9 (2) (a) Applications for a mobile home salesperson's license and renewals
10 thereof shall be made to the department on such forms as the department prescribes
11 and furnishes and shall be accompanied by the license fee required under par. (c) or
12 (d). The application shall include the applicant's social security number. In addition,
13 the application shall require such pertinent information as the department requires.

14 (b) 1. The department shall, by rule, establish the license period under this
15 section.

16 2. The department may promulgate rules establishing a uniform expiration
17 date for all licenses issued under this section.

18 (c) Except as provided in par. (d), the fee for a license issued under this section
19 equals \$4 multiplied by the number of years in the license period. The fee shall be
20 prorated if the license period is not evenly divisible into years.

21 (d) If the department issues a license under this section during the license
22 period, the fee for the license shall equal \$4 multiplied by the number of calendar
23 years, including parts of calendar years, during which the license remains in effect.
24 A fee determined under this paragraph may not exceed the license fee for the entire
25 license period under par. (c).

1 (3) Every licensee shall carry his or her license when engaged in his or her
2 business and display the same upon request. The license shall name his or her
3 employer, and, in case of a change of employer, the mobile home salesperson shall
4 immediately mail his or her license to the department, which shall endorse that
5 change on the license without charge.

6 (5) The provision of s. 218.01 (3) relating to the denial, suspension and
7 revocation of a motor vehicle salesperson's license shall apply to the denial,
8 suspension and revocation of a mobile home salesperson's license so far as applicable,
9 except that such provision does not apply to the denial, suspension or revocation of
10 a license under s. 101.02 (21) (b).

11 (6) The provisions of s. 218.01 (3) (g) and (5) shall apply to this section, mobile
12 home sales practices and the regulation of mobile home salespersons, as far as
13 applicable.

14 ***b0238/4.6* SECTION 1998yg.** 101.953 of the statutes is created to read:

15 **101.953 Warranty and disclosure.** (1) A one-year written warranty is
16 required for every new mobile home sold, or leased to another, by a mobile home
17 manufacturer, mobile home dealer or mobile home salesperson in this state, and for
18 every new mobile home sold by any person who induces a resident of the state to enter
19 into the transaction by personal solicitation in this state or by mail or telephone
20 solicitation directed to the particular consumer in this state. The warranty shall
21 state all of the following:

22 (a) That the mobile home meets those standards prescribed by law or
23 administrative rule of the department of administration or of the department of
24 commerce, which are in effect at the time of the manufacture of the mobile home.

1 (b) That the mobile home is free from defects in material and workmanship and
2 is reasonably fit for human habitation if it receives reasonable care and maintenance
3 as defined by rule of the department.

4 (c) 1. That the mobile home manufacturer and mobile home dealer shall take
5 corrective action for defects which become evident within one year from the delivery
6 date and as to which the mobile home owner has given notice to the manufacturer
7 or dealer not later than one year and 10 days after the delivery date and at the
8 address set forth in the warranty; and that the mobile home manufacturer and
9 mobile home dealer shall make the appropriate adjustments and repairs, within 30
10 days after notification of the defect, at the site of the mobile home without charge to
11 the mobile home owner. If the mobile home dealer makes the adjustment, the mobile
12 home manufacturer shall fully reimburse the dealer.

13 2. If a repair, replacement, substitution or alteration is made under the
14 warranty and it is discovered, before or after expiration of the warranty period, that
15 the repair, replacement, substitution or alteration has not restored the mobile home
16 to the condition in which it was warranted except for reasonable wear and tear, such
17 failure shall be considered a violation of the warranty and the mobile home shall be
18 restored to the condition in which it was warranted to be at the time of the sale except
19 for reasonable wear and tear, at no cost to the purchaser or the purchaser's assignee
20 notwithstanding that the additional repair may occur after the expiration of the
21 warranty period.

22 (d) That if during any period of time after notification of a defect the mobile
23 home is uninhabitable, as defined by rule of the department, that period of time shall
24 not be considered part of the one-year warranty period.

25 (e) A list of all parts and equipment not covered by the warranty.

1 (2) Action by a lessee to enforce the lessee's rights under this subchapter shall
2 not be grounds for termination of the rental agreement.

3 (3) The warranty required under this section shall apply to the manufacturer
4 of the mobile home as well as to the mobile home dealer who sells or leases the mobile
5 home to the consumer, and shall be in addition to any other rights and privileges that
6 the consumer may have under any instrument or law. The waiver of any remedies
7 under any law and the waiver, exclusion, modification or limitation of any warranty,
8 express or implied, including the implied warranty of merchantability and fitness for
9 a particular purpose, is expressly prohibited. Any such waiver is void.

10 (4) The transfer of a mobile home from one mobile home owner to another
11 during the effective period of the warranty does not terminate the warranty, and
12 subsequent mobile home owners shall be entitled to the full protection of the
13 warranty for the duration of the warranty period as if the original mobile home owner
14 had not transferred the mobile home.

15 ***b0238/4.6* SECTION 1998xL.** 101.954 of the statutes is created to read:

16 **101.954 Sale or lease of used mobile homes.** In the sale or lease of any used
17 mobile home, the sales invoice or lease agreement shall contain the point of
18 manufacture of the used mobile home, the name of the manufacturer and the name
19 and address of the previous mobile home owner.

20 ***b0238/4.6* SECTION 1998xp.** 101.955 of the statutes is created to read:

21 **101.955 Jurisdiction and venue over out-of-state manufacturers. (1)**
22 The importation of a mobile home for sale in this state by an out-of-state
23 manufacturer is considered an irrevocable appointment by that manufacturer of the
24 department of financial institutions to be that manufacturer's true and lawful
25 attorney upon whom may be served all legal processes in any action or proceeding

1 against such manufacturer arising out of the importation of such mobile home into
2 this state.

3 (2) The department of financial institutions upon whom processes and notices
4 may be served under this section shall, upon being served with such process or notice,
5 mail a copy by registered mail to the out-of-state manufacturer at the nonresident
6 address given in the papers so served. The original shall be returned with proper
7 certificate of service attached for filing in court as proof of service. The service fee
8 shall be \$4 for each defendant so served. The department of financial institutions
9 shall keep a record of all such processes and notices, which record shall show the day
10 and hour of service.

11 ***b0238/4.6* SECTION 1998xt.** 101.965 of the statutes is created to read:

12 **101.965 Penalties.** (1) Any person who violates ss. 101.953 to 101.955, or any
13 rule promulgated under ss. 101.953 to 101.955, may be fined not more than \$1,000
14 or imprisoned for not more than 6 months or both.

15 (2) In any court action brought by the department for violations of this
16 subchapter, the department may recover all costs of testing and investigation, in
17 addition to costs otherwise recoverable, if it prevails in the action.

18 (3) Nothing in this subchapter prohibits the bringing of a civil action against
19 a mobile home manufacturer, mobile home dealer or mobile home salesperson by an
20 aggrieved consumer. If judgment is rendered for the consumer based on an act or
21 omission by the mobile home manufacturer, mobile home dealer or mobile home
22 salesperson, which constituted a violation of this subchapter, the plaintiff shall
23 recover actual and proper attorney fees in addition to costs otherwise recoverable.”.

24 ***b0079/2.13* 226,** Page 970, line 21: delete that line.

1 ***b0079/2.14* 227.** Page 971, line 10: delete lines 10 to 22.

2 ***b0568/1.2* 228.** Page 972, line 3: after that line insert:

3 ***b0568/1.2* "SECTION 2005f.** 103.49 (5) (a) of the statutes is amended to read:

4 103.49 (5) (a) Each contractor, subcontractor or agent thereof performing work
5 on a project that is subject to this section shall keep full and accurate records clearly
6 indicating the name and trade or occupation of every person described in sub. (2m)
7 and an accurate record of the number of hours worked by each of those persons and
8 the actual wages paid therefor. If requested by any person, a contractor,
9 subcontractor or agent thereof performing work on a project that is subject to this
10 section shall permit that person to inspect and copy any of those records to the same
11 extent as the department would be required to permit inspection and copying of those
12 records under ss. 19.31 to 19.39 if those records were in the custody of the
13 department.

14 ***b0568/1.2* SECTION 2005g.** 103.50 (7m) of the statutes is created to read:

15 103.50 (7m) RECORDS; INSPECTION. Each contractor, subcontractor or agent
16 thereof performing work on a project that is subject to this section shall keep full and
17 accurate records clearly indicating the name and trade or occupation of every person
18 described in sub. (2m) and an accurate record of the number of hours worked by each
19 of those persons and the actual wages paid therefor. If requested by any person, a
20 contractor, subcontractor or agent thereof performing work on a project that is
21 subject to this section shall permit that person to inspect and copy any of those
22 records to the same extent as the department of transportation would be required to
23 permit inspection and copying of those records under ss. 19.31 to 19.39 if those
24 records were in the custody of the department of transportation.”.

1 ***b0569/1.9* 229.** Page 972, line 4: delete lines 4 to 11 and substitute:

2 ***b0569/1.9*** **SECTION 2005k.** 106.11 (title) of the statutes is amended to read:

3 **106.11** (title) **~~Employment and training~~ Workforce investment**
4 **programs.**

5 ***b0569/1.9* SECTION 2005m.** 106.11 of the statutes, as affected by 1999
6 Wisconsin Act (this act), sections 2005k, 2005p and 2005r, is amended to read:

7 **106.11 Workforce investment programs.** The department shall cooperate
8 with the federal government in carrying out the purposes of the ~~federal Job Training~~
9 ~~Partnership Act, 29 USC 1501 to 1781, and the federal Workforce Investment Act of~~
10 1998, 29 USC 2801 to 2945. In administering the programs authorized by ~~these acts~~
11 that act the department shall, in cooperation with other state agencies and with local
12 workforce development boards established under 29 USC 2832, establish a
13 statewide workforce investment system to meet the employment, training and
14 educational needs of persons in this state.

15 ***b0569/1.9* SECTION 2005p.** 106.11 (1) of the statutes is amended to read:

16 106.11 (1) The department shall cooperate with the federal government in
17 carrying out the purposes of the ~~federal job training partnership act~~ Job Training
18 Partnership Act, 29 USC 1501 to 1781, and the federal Workforce Investment Act of
19 1998, 29 USC 2801 to 2945. In administering the programs authorized by ~~that act~~
20 those acts the department shall, in cooperation with other state agencies and with
21 ~~private industry councils~~ local workforce development boards established under 29
22 USC 2832, establish a statewide ~~coordinated employment and training delivery~~
23 workforce investment system to meet the employment, training and educational
24 needs of persons in this state.

1 ***b0569/1.9* SECTION 2005r.** 106.11 (1) of the statutes, as affected by 1999
2 Wisconsin Act (this act), section 2005p, is renumbered 106.11.

3 ***b0569/1.9* SECTION 2005t.** 106.11 (2) of the statutes is repealed.

4 ***b0569/1.9* SECTION 2005v.** 106.11 (3) of the statutes is repealed.

5 ***b0569/1.9* SECTION 2005x.** 106.115 of the statutes is repealed.”.

6 ***b0566/1.2* 230.** Page 972, line 21: delete “technical college study”.

7 ***b0566/1.3* 231.** Page 972, line 22: delete “grant”.

8 ***b0567/1.3* 232.** Page 972, line 25: delete “or 106.14” and substitute
9 “106.14”.

10 ***b0567/1.4* 233.** Page 973, line 6: delete “ss. 106.13 and 106.14” and
11 substitute “s. 106.13”.

12 ***b0566/1.4* 234.** Page 973, line 14: delete “technical”.

13 ***b0566/1.5* 235.** Page 973, line 15: delete “college study grant”.

14 ***b0286/8.34* 236.** Page 973, line 19: delete “6251.” and substitute “6251”.

****NOTE: Deletes an inappropriate comma.

15 ***b0566/1.6* 237.** Page 973, line 20: delete “a technical college”.

16 ***b0566/1.7* 238.** Page 973, line 21: delete “study grant program as described
17 in sub. (4g)”.

18 ***b0565/1.1* 239.** Page 973, line 23: after “program” insert “. The board shall
19 include in that work-based learning program a component that would permit a
20 participant to earn a youth apprenticeship skills certificate through participation in
21 that program if the participant meets the requirements for earning that certificate”.

1 ***b0569/1.10* 240.** Page 974, line 1: delete “governor’s council on workforce
2 excellence” and substitute “~~governor’s council on workforce excellence~~ council on
3 workforce investment established under 29 USC 2821”.

4 ***b0566/1.8* 241.** Page 974, line 4: delete “, the technical college study grant
5 program”.

6 ***b0564/2.1* 242.** Page 974, line 6: delete lines 6 to 19 and substitute:

7 ***b0564/2.1* “SECTION 2019d.** 106.13 (2m) of the statutes is amended to read:

8 106.13 (2m) ~~After reviewing the recommendations of the governor’s council on~~
9 ~~workforce excellence under s. 106.115 (2) (e), the department~~ The board shall
10 approve occupations and maintain a list of approved occupations for the youth
11 apprenticeship program and shall approve statewide skill standards for the
12 school-to-work program. From the appropriation under s. 20.445 (1) ~~(ev)~~ (7) (a), the
13 department board shall develop curricula for youth apprenticeship programs for
14 occupations approved under this subsection.”.

15 ***b0566/1.9* 243.** Page 976, line 20: delete lines 20 to 24.

16 ***b0566/1.10* 244.** Page 977, line 1: delete lines 1 to 4.

17 ***b0567/1.5* 245.** Page 977, line 8: delete lines 8 to 24 and substitute:

18 ***b0567/1.5* “SECTION 2024t.** 106.14 (title) of the statutes is amended to read:

19 **106.14 (title) Career Job centers and career counseling centers.**

20 ***b0567/1.5* SECTION 2025d.** 106.14 (1) of the statutes, as affected by 1997
21 Wisconsin Act 27, section 2679, is amended to read:

22 106.14 (1) The department ~~may award grants to nonprofit corporations and~~
23 ~~public agencies for the provision of~~ shall provide a job center network throughout the
24 state through which job seekers may receive comprehensive career planning. job

1 placement and job training information. As part of the job center network, the
2 department shall provide career counseling centers throughout the state at which
3 youths may receive the services specified in sub. (2).

4 *b0567/1.5* SECTION 2026d. 106.14 (3) of the statutes is repealed.

5 *b0567/1.5* SECTION 2027d. 106.14 (4) of the statutes is repealed.”.

6 *b0569/1.11* ~~246~~. Page 977, line 24: after that line insert:

7 *b0569/1.11* “SECTION 2027d. 106.15 (1) (a) of the statutes is amended to read:

8 106.15 (1) (a) “Council” means the ~~governor’s council on workforce excellence~~
9 ~~established under 29 USC 1792~~ council on workforce investment established under
10 29 USC 2821.

11 *b0569/1.11* SECTION 2027f. 106.15 (1) (b) of the statutes is amended to read:

12 106.15 (1) (b) “Dislocated worker” has the meaning ~~established by the~~
13 ~~department by rule in substantial conformance with 29 USC 1652 (a) given in 29~~
14 USC 2801 (9).

15 *b0569/1.11* SECTION 2027h. 106.15 (1) (c) of the statutes is amended to read:

16 106.15 (1) (c) “Dislocated worker committee” means the committee or other
17 subunit of the council that ~~deals with the dislocated workers program under 29 USC~~
18 ~~1651 to 1662b~~ assists the governor in providing employment and training activities
19 to dislocated workers under 29 USC 2862 to 2864.

20 *b0569/1.11* SECTION 2027j. 106.15 (1) (d) of the statutes is amended to read:

21 106.15 (1) (d) “Substate Local plan” means a ~~substate~~ local plan required under
22 ~~29 USC 1661b (a)~~ 29 USC 2833 as a condition for a grant.

23 *b0569/1.11* SECTION 2027m. 106.15 (3) (intro.) of the statutes is amended to
24 read:

1 106.15 (3) GRANTS. (intro.) From the appropriation under s. 20.445 (1) (bc),
2 (jm), (mb) and (mc), the department shall make grants to persons providing
3 employment and training activities to dislocated workers ~~programs offering training~~
4 ~~and related employment services~~ including but not limited to the following:

5 ***b0569/1.11* SECTION 2027p.** 106.15 (4) of the statutes is amended to read:

6 106.15 (4) GRANT APPROVAL. ~~No grant may be awarded~~ The department may
7 award a grant under this section ~~unless only if~~ both of the following occur:

8 (a) The dislocated workers committee approves the ~~substate~~ local plan or
9 application for funding and refers its decision to the secretary.

10 (b) After receiving a referral under par. (a), the secretary approves the ~~substate~~
11 local plan or application for funding.

12 ***b0569/1.11* SECTION 2027r.** 106.15 (5) (intro.) of the statutes is amended to
13 read:

14 106.15 (5) ~~SUBSTATE~~ LOCAL PLAN OR APPLICATION REVIEW. (intro.) In reviewing
15 ~~substate~~ local plans and applications for funding under this section, the dislocated
16 workers committee and the secretary shall consider all of the following:

17 ***b0569/1.11* SECTION 2027t.** 106.15 (6) of the statutes is amended to read:

18 106.15 (6) RULE MAKING. The department shall ~~adopt~~ promulgate rules to
19 administer this section. The rules shall address eligible applicants and program
20 providers, application requirements, criteria and procedures for awarding grants,
21 reporting and auditing procedures and administrative operations.

22 ***b0569/1.11* SECTION 2027v.** 106.15 (7) of the statutes is amended to read:

23 106.15 (7) FUNDING. From the amounts appropriated under s. 20.445 (1) (ma),
24 (mb) and (mc), all moneys received under ~~29 USC 1651 to 1661e~~ 29 USC 2862 to 2864
25 shall be expended to fund grants and operations under this section.

1 ***b0569/1.11* SECTION 2027x.** 106.16 (2) of the statutes is amended to read:

2 106.16 (2) Any company that receives a loan or grant from a state agency or
3 an authority under ch. 231 or 234 shall notify the department and the ~~area private~~
4 ~~industry council under the job training partnership act, 29 USC 1501 to 1798~~ local
5 workforce development board established under 29 USC 2832, of any position in the
6 company that is related to the project for which the grant or loan is received to be
7 filled in this state within one year after receipt of the loan or grant. The company
8 shall provide this notice at least 2 weeks prior to advertising the position.”

9 ***b0558/1.1* 247.** Page 978, line 1: delete lines 1 to 11 and substitute:

10 ***b0558/1.1* “SECTION 2029c.** 106.215 (10) (g) 1. of the statutes is amended to
11 read:

12 106.215 (10) (g) 1. A person who is employed as a corps enrollee for a 6–month
13 to one–year period of continuous employment, as determined by standards adopted
14 by the board, and who receives a satisfactory employment evaluation upon
15 termination of employment is entitled to an incentive payment of \$500 prorated in
16 the same proportion as the number of hours of employment completed by that person
17 bears to 2,080 hours ~~or an education voucher that is worth at least double the~~
18 ~~monetary value of the prorated incentive payment, but not more than \$2,600~~
19 ~~prorated in the same proportion as the number of hours of employment completed~~
20 ~~by that person bears to 2,080 hours. No corps enrollee may receive more than 2~~
21 ~~incentive payments or 4 education vouchers.~~

22 ***b0558/1.1* SECTION 2029g.** 106.215 (10) (g) 1m. of the statutes is created to
23 read:

1 106.215 (10) (g) 1m. In lieu of the incentive payment under subd. 1., a person
2 who is employed as a corps enrollee for at least a 6-month period of continuous
3 employment, as determined by standards adopted by the board, and who receives a
4 satisfactory employment evaluation is entitled to an education voucher that is worth
5 at least double the monetary value of the prorated incentive payment under subd.
6 1., but not more than \$2,800 prorated in the same proportion as the number of hours
7 of employment completed by that person bears to 2,080 hours.

8 ***b0558/1.1* SECTION 2029n.** 106.215 (10) (g) 2. of the statutes is amended to
9 read:

10 106.215 (10) (g) 2. The board may authorize a partial incentive payment ~~or~~
11 ~~education voucher~~ to a person who is employed as a corps enrollee and who receives
12 a satisfactory employment evaluation upon termination of employment if the person
13 is employed as a corps enrollee for less than a one-year period of continuous
14 employment and the board determines that employment was terminated because of
15 special circumstances beyond the control of the corps enrollee or if the person is
16 employed as a corps enrollee for at least 10 months but less than a one-year period
17 of continuous employment and the board determines that employment was
18 terminated in order to enable the person to attend an institution of higher education,
19 technical college or other training program or to enable the person to obtain other
20 employment.

21 ***b0558/1.1* SECTION 2029r.** 106.215 (10) (g) 2m. of the statutes is created to
22 read:

23 106.215 (10) (g) 2m. In lieu of a partial incentive payment under subd. 2, the
24 board may authorize a partial education voucher to a person who is employed as a
25 corps enrollee and who receives a satisfactory employment evaluation upon

1 termination of employment if the person is employed as a corps enrollee for less than
2 a 6-month period of continuous employment and the board determines that
3 employment was terminated because of special circumstances beyond the control of
4 the corps enrollee.

5 *b0558/1.1* SECTION 2029w. 106.215 (10) (g) 4. of the statutes is created to
6 read:

7 106.215 (10) (g) 4. No corps enrollee may receive more than 2 incentive
8 payments or 4 education vouchers under this paragraph.”

9 *b0469/4.3* 248. Page 978, line 11: after that line insert:

10 *b0469/4.3* SECTION 2029m. 108.07 (8) (b) of the statutes is amended to read:

11 108.07 (8) (b) If a claimant is a prisoner of a state prison, as defined in s. 302.01,
12 and has employment with an employer other than the department of corrections or
13 ~~a private business leasing space within a state prison under s. 303.01 (2) (em), and~~
14 the claimant’s employment terminates because conditions of incarceration or
15 supervision make it impossible to continue the employment, the department shall
16 charge to the fund’s balancing account any benefits based on the terminated
17 employment that are otherwise chargeable to the account of an employer that is
18 subject to the contribution requirements under ss. 108.17 and 108.18.”

19 *b0569/1.12* 249. Page 978, line 11: after that line insert:

20 *b0569/1.12* SECTION 2029m. 108.04 (16) (c) of the statutes is amended to
21 read:

22 108.04 (16) (c) Benefits may not be denied to an otherwise eligible individual
23 under par. (a) who is enrolled in a program under the plan of any state for training

1 for dislocated workers under ~~29 USC 1661~~ 29 USC 2822, notwithstanding the failure
2 of such training to meet any of the requirements of par. (a) 1. to 4.”.

3 *b0567/1.6* **250**. Page 978, line 12: delete lines 12 to 25.

4 *b0567/1.7* **251**. Page 979, line 1: delete lines 1 to 6.

5 *b0523/3.3* **252**. Page 979, line 6: after that line insert:

6 *b0523/3.3* “SECTION 2030m. 109.09 (1) of the statutes is amended to read:

7 109.09 (1) The department shall investigate and attempt equitably to adjust
8 controversies between employers and employes as to alleged wage claims. The
9 department may receive and investigate any wage claim which is filed with the
10 department, or received by the department under s. 109.10 (4), no later than 2 years
11 after the date the wages are due. The department may, after receiving a wage claim,
12 investigate any wages due from the employer against whom the claim is filed to any
13 employe during the period commencing 2 years before the date the claim is filed. The
14 department shall enforce this chapter and ss. 20.924 (1) (i) 1., 2. and 3. and (j) 3.,
15 66.293, 103.02, 103.49, 103.82 and 104.12. In pursuance of this duty, the department
16 may sue the employer on behalf of the employe to collect any wage claim or wage
17 deficiency and ss. 109.03 (6) and 109.11 (2) and (3) shall apply to such actions. Except
18 for actions under s. 109.10, the department may refer such an action to the district
19 attorney of the county in which the violation occurs for prosecution and collection and
20 the district attorney shall commence an action in the circuit court having appropriate
21 jurisdiction. Any number of wage claims or wage deficiencies against the same
22 employer may be joined in a single proceeding, but the court may order separate
23 trials or hearings. In actions that are referred to a district attorney under this
24 subsection, any taxable costs recovered by the district attorney shall be paid into the

1 general fund of the county in which the violation occurs and used by that county to
2 meet its financial responsibility under s. 978.13 (2) for the operation of the office of
3 the district attorney who prosecuted the action.”.

4 *b0294/1.1* ~~255~~. Page 979, line 9: delete “400” and substitute “399”.

5 *b0155/1.2* ~~254~~. Page 979, line 21: delete the material beginning with that
6 line and ending with page 980, line 7.

7 *b0523/3.4* ~~257~~. Page 980, line 7: after that line insert:

8 *b0523/3.4* “SECTION 2033m. 111.322 (2m) (c) of the statutes is amended to
9 read:

10 111.322 (2m) (c) The individual files a complaint or attempts to enforce a right
11 under s. 20.924 (1) (i) 1., 2. or 3. or (j) 3., 66.293 or 103.49 or testifies or assists in any
12 action or proceeding under s. 20.924 (1) (i) 1., 2. or 3. or (j) 3., 66.293 or 103.49.”.

13 *b0197/2.1* ~~259~~. Page 980, line 14: delete the material beginning with that
14 line and ending with page 981, line 7.

15 *b0155/1.3* ~~262~~. Page 981, line 8: delete lines 8 to 19.

16 *b0040/1.1* ~~264~~. Page 981, line 20: delete lines 20 to 22.

17 *b0155/1.4* ~~263~~. Page 981, line 23: delete the material beginning with that
18 line and ending with page 982, line 9.

19 *b0632/2.3* ~~265~~. Page 982, line 16: after that line insert:

20 *b0632/2.3* “SECTION 2039g. 114.31 (3) of the statutes is renumbered 114.31
21 (3) (a).

22 *b0632/2.3* SECTION 2039h. 114.31 (3) (b) of the statutes is created to read:

1 114.31 (3) (b) From the appropriation under s. 20.395 (2) (ds), the department
2 shall administer an aviation career education program to provide training and
3 apprenticeship opportunities associated with aviation careers for socially and
4 economically disadvantaged youth.”.

5 ***b0569/1.13* 266.** Page 982, line 24: after that line insert:

6 ***b0569/1.13* “SECTION 2040d.** 115.28 (24) of the statutes, as affected by 1999
7 Wisconsin Act (this act), is amended to read:

8 115.28 (24) PRIORITY IN AWARDING GRANTS. Give priority in awarding grants to
9 local community organizations under sub. (21) and to school boards under ss. 115.36
10 and 115.361, and in awarding grants from federal funds received under 20 USC 2301
11 to 2471, 20 USC 4601 to 4665 and ~~29 USC 1602 (b) (1)~~ 29 USC 2862 (b) (1) (B), to
12 programs that provide more than one of the educational services specified under sub.
13 (21), s. 115.36, 115.361, 115.915, 118.01 (2) (d) 7. or 8. or 118.153 or 20 USC 2301 to
14 2471, 20 USC 4601 to 4665 or ~~29 USC 1602 (b) (1)~~ 29 USC 2862 (b) (1) (B).”.

15 ***b0379/2.2* 267.** Page 983, line 3: after that line insert:

16 ***b0379/2.2* “SECTION 2041m.** 115.28 (26) of the statutes is created to read:

17 115.28 (26) PERIODICAL AND REFERENCE INFORMATION DATA BASES. Contract with
18 one or more persons to provide statewide access, through the Internet, to periodical
19 and reference information data bases.”.

20 ***b0507/1.3* 269.** Page 984, line 8: delete “appropriation” and substitute
21 “~~appropriation~~ appropriations”.

22 ***b0507/1.4* 270.** Page 984, line 9: delete “(eh)” and substitute “(eh) and”.

23 ***b0411/5.11* 268.** Page 984, line 22: delete the material beginning with that
24 line and ending with page 985, line 4.

1 ***b0364/1.2* 271.** Page 985, line 5: delete lines 5 to 13.

2 ***b0378/4.1* 272.** Page 985, line 16: substitute “~~\$2,000~~” for “\$2,000”.

3 ***b0378/4.2* 273.** Page 985, line 21: after “(b)” insert “The grant under this
4 subsection shall be an amount equal to the costs of obtaining certification under par.
5 (a) 1. that are borne by the person, not to exceed \$2,000.”.

6 ***b0378/4.3* 274.** Page 985, line 22: after “(a) 1.” insert “, except that if the
7 person becomes certified under par. (a) 1. while he or she is not a resident of this state,
8 the department shall award the grant under this subsection in the first school year
9 in which the person meets the requirements under par. (a).”.

10 ***b0366/1.1* 275.** Page 986, line 12: after that line insert:

11 ***b0366/1.1* “SECTION 2055m.** 115.775 of the statutes is created to read:

12 **115.775 Duties of operators of certain charter schools.** An operator of a
13 charter school under s. 118.40 (2r) is a local educational agency, as defined in 20 USC
14 1401 (15), and shall comply with 20 USC 1400 to 1491o.”.

15 ***b0099/2.28* 276.** Page 986, line 13: delete lines 13 to 17.

16 ***b0366/1.2* 278.** Page 987, line 9: delete the material beginning with “as”
17 and ending with “(15)” on line 11.

18 ***b0366/1.3* 279.** Page 987, line 13: delete the material beginning with
19 “estimates” and ending with “current” on line 14, and substitute “expended during
20 the previous”.

21 ***b0366/1.4* 280.** Page 987, line 20: after “(b).” insert “The state
22 superintendent may audit costs under this paragraph and adjust reimbursement to
23 cover only actual, eligible costs.”.

1 ***b0366/1.5* 281.** Page 988, line 17: delete the material beginning with “as”
2 and ending with “(15)” on line 18.

3 ***b0366/1.6* 282.** Page 988, line 20: delete the material beginning with
4 “estimates” and ending with “current” on line 21, and substitute “expended during
5 the previous”.

6 ***b0366/1.7* 284.** Page 988, line 23: delete that line and substitute “. The
7 state superintendent may audit costs under this subsection and adjust
8 reimbursement to cover only actual, eligible costs.”.

9 ***b0387/1.1* 283.** Page 988, line 24: before that line insert:

10 ***b0387/1.1* SECTION 2061e.** 115.88 (3) of the statutes is amended to read:
11 115.88 (3) BOARD AND LODGING AID. There shall be paid the amount expended
12 for board and lodging and transportation between the boarding home and the special
13 education program of nonresident children enrolled under s. 115.82 (1) in the special
14 education program. The department shall certify the full amount to the department
15 of administration ~~which shall pay such amount from the appropriation under s.~~
16 ~~20.255 (2) (b) to the~~ in favor of each school district, cooperative educational service
17 agency, county children with disabilities education board, state agency of another
18 state or private, nonsectarian special education service which operates the special
19 education program while providing board, lodging and transportation an amount
20 equal to the amount expended for such board and lodging and transportation as costs
21 eligible for reimbursement from the appropriation under s. 20.255 (2) (b).

22 ***b0387/1.1* SECTION 2061m.** 115.88 (6) of the statutes is amended to read:

23 115.88 (6) AID FOR INSTRUCTION OUTSIDE OF DISTRICT. ~~From the appropriation~~
24 ~~under s. 20.255 (2) (b) there shall be paid the full cost of salary~~ The department shall

1 certify to the department of administration, in favor of each school district, an
2 amount equal to the amount expended for salaries and travel expenses, in amounts
3 as determined in advance by the state superintendent, to school districts for
4 providing special education outside the school district of employment, as eligible for
5 reimbursement from the appropriation under s. 20.255 (2) (b).

6 *b0387/1.1* SECTION 2061s. 115.88 (8) of the statutes is amended to read:

7 115.88 (8) ENROLLMENT OUT OF STATE. If a child with a disability is enrolled in
8 a public special education program located in another state and the state
9 superintendent is satisfied that the program in which the child is enrolled complies
10 with this subchapter, the state superintendent shall certify to the department of
11 administration in favor of the school district in which the child resides or the school
12 district attended by the child under s. 118.51 a sum equal to the ~~percentage of the~~
13 ~~approved costs under subs. (1) and (2) of the~~ amount expended by the school district
14 during the preceding year for the additional costs associated with the child's special
15 education program. ~~The department of administration shall pay the amount to the~~
16 ~~school district~~ as costs eligible for reimbursement from the appropriation under s.
17 20.255 (2) (b).".

18 *b0387/1.2* 285. Page 989, line 7: before "Costs" insert "Funds appropriated
19 under s. 20.255 (2) (b) shall be used first for the purpose of s. 115.88 (4).".

20 *b0387/1.3* 286. Page 989, line 8: delete ", (2) and (2m)" and substitute "to
21 (3), (6) and (8)".

22 *b0373/3.1* 288. Page 989, line 23: after that line insert:

23 *b0373/3.1* "SECTION 2065m. 115.995 of the statutes is renumbered 115.995
24 (intro.) and amended to read:

1 **115.995 State aids.** (intro.) Upon receipt of the report under s. 115.993, if the
2 state superintendent is satisfied that the bilingual–bicultural education program for
3 the previous school year was maintained in accordance with this subchapter, the
4 state superintendent shall ~~certify~~ do all of the following:

5 (2) Certify to the department of administration in favor of the school district
6 a sum equal to a percentage of the amount expended on limited–English speaking
7 pupils by the school district during the preceding year for salaries of personnel
8 participating in and attributable to bilingual–bicultural education programs under
9 this subchapter, special books and equipment used in the bilingual–bicultural
10 programs and other expenses approved by the state superintendent. The percentage
11 shall be determined by dividing the amount in the appropriation under s. 20.255 (2)
12 (cc) in the current school year less \$250,000 by the total amount of aidable costs in
13 the previous school year.

14 ***b0373/3.1* SECTION 2065n.** 115.995 (1) of the statutes is created to read:

15 115.995 (1) From the appropriation under s. 20.255 (2) (cc), divide
16 proportionally, based upon costs reported under s. 115.993, an annual payment of
17 \$250,000 among school districts whose enrollments in the previous school year were
18 at least 15% limited–English speaking pupils. Aid paid under this subsection does
19 not reduce aid paid under sub. (2).”

20 ***b0091/1.1* 287.** Page 989, line 24: delete the material beginning with that
21 line and ending with page 990, line 8.

22 ***b0099/2.29* 289.** Page 990, line 9: delete lines 9 to 23.

23 ***b0093/1.1* 290.** Page 991, line 15: delete lines 15 to 18.

24 ***b0599/1.1* 291.** Page 992, line 8: delete lines 8 to 13 and substitute:

1 ***b0599/1.1*** "SECTION 2071g. 118.30 (1) (a) of the statutes is renumbered
2 118.30 (1).

3 ***b0599/1.1*** SECTION 2071r. 118.30 (1) (b) of the statutes is repealed."

4 ***b0599/1.2*** ~~292~~. Page 992, line 22: delete the material beginning with that
5 line and ending with page 993, line 9, and substitute:

6 ***b0599/1.2*** "SECTION 2074m. 118.30 (1g) (b) of the statutes is repealed."

7 ***b0376/3.1*** ~~293~~. Page 993, line 20: after that line insert:

8 ***b0376/3.1*** "SECTION 2076g. 118.30 (1m) (a) of the statutes is amended to
9 read:

10 118.30 (1m) (a) 1. Except as provided in sub. (6), administer the 4th grade
11 examination adopted or approved by the state superintendent under sub. (1) (a) to
12 all pupils enrolled in the school district, including pupils enrolled in charter schools
13 located in the school district, in the 4th grade. Beginning on July 1, 2002, if the
14 school board has not developed and adopted its own 4th grade examination, the
15 school board shall provide a pupil with at least 2 opportunities to ~~achieve a score on~~
16 take the examination administered under this subdivision ~~that is sufficient for~~
17 ~~promotion under sub. (5) (a) 1.~~

18 2. Beginning on July 1, 2002, if the school board has developed or adopted its
19 own 4th grade examination, administer that examination to all pupils enrolled in the
20 school district, including pupils enrolled in charter schools located in the school
21 district, in the 4th grade. The school board shall provide a pupil with at least 2
22 opportunities to ~~pass~~ take the examination administered under this subdivision.

23 ***b0376/3.1*** SECTION 2076r. 118.30 (1m) (am) of the statutes is amended to
24 read:

1 118.30 (1m) (am) 1. Except as provided in sub. (6), administer the 8th grade
2 examination adopted or approved by the state superintendent under sub. (1) (a) to
3 all pupils enrolled in the school district, including pupils enrolled in charter schools
4 located in the school district, in the 8th grade. Beginning on July 1, 2002, if the
5 school board has not developed and adopted its own 8th grade examination, the
6 school board shall provide a pupil with at least 2 opportunities to ~~achieve a score on~~
7 take the examination administered under this subdivision ~~that is sufficient for~~
8 ~~promotion under sub. (5) (b) 1.~~

9 2. Beginning on July 1, 2002, if the school board has developed or adopted its
10 own 8th grade examination, administer that examination to all pupils enrolled in the
11 school district, including pupils enrolled in charter schools located in the school
12 district, in the 8th grade. The school board shall provide a pupil with at least 2
13 opportunities to ~~pass~~ take the examination administered under this subdivision.”.

14 ***b0599/1.4* 295.** Page 994, line 1: delete lines 1 to 17 and substitute:

15 ***b0599/1.4* SECTION 2078m.** 118.30 (1m) (d) of the statutes is repealed.”.

16 ***b0376/3.2* 296.** Page 995, line 1: delete “achieve a score on” and substitute
17 “take”.

18 ***b0376/3.3* 297.** Page 995, line 2: delete that line and substitute
19 “subdivision.”.

20 ***b0376/3.4* 298.** Page 995, line 6: substitute “take” for “pass”.

21 ***b0376/3.5* 300.** Page 995, line 13: delete “achieve a score on” and substitute
22 “take”.

23 ***b0376/3.6* 301.** Page 995, line 14: delete that line and substitute
24 “subdivision.”.

1 ***b0376/3.7* 302.** Page 995, line 18: substitute “take” for “pass”.

2 ***b0599/1.5* 299.** Page 995, line 22: delete the material beginning with that
3 line and ending with page 996, line 8.

4 ***b0376/3.8* 303.** Page 996, line 23: delete the material beginning with that
5 line and ending with page 998, line 2, and substitute:

6 ***b0376/3.8* “SECTION 2082g.** 118.30 (2) (b) 4. of the statutes is created to read:
7 118.30 (2) (b) 4. Upon the request of a pupil’s parent or guardian, the operator
8 of a charter school under s. 118.40 (2r) shall excuse the pupil from taking an
9 examination administered under sub. (1r) (a), (am) or (b).

10 ***b0376/3.8* SECTION 2082r.** 118.30 (5) of the statutes is repealed.”.

11 ***b0599/1.6* 306.** Page 998, line 6: delete “(a)” and substitute “(a)”.

12 ***b0599/1.7* 307.** Page 998, line 10: delete “(a)” and substitute “(a)”.

13 ***b0376/3.9* 308.** Page 998, line 11: after that line insert:

14 ***b0376/3.9* “SECTION 2084m.** 118.33 (title) of the statutes is amended to read:
15 118.33 (title) **High school graduation standards; criteria for**
16 **promotion.**”.

17 ***b0599/1.8* 305.** Page 998, line 12: delete the material beginning with that
18 line and ending with page 999, line 4, and substitute:

19 ***b0599/1.8* “SECTION 2085m.** 118.33 (1) (cm) of the statutes is repealed.

20 ***b0599/1.8* SECTION 2086m.** 118.33 (1) (e) of the statutes is repealed.”.

21 ***b0376/3.10* 309.** Page 999, line 4: after that line insert:

22 ***b0376/3.10* “SECTION 2086m.** 118.33 (6) of the statutes is created to read:

1 118.33 (6) (a) 1. Each school board shall adopt a written policy specifying the
2 criteria for promoting a pupil from the 4th grade to the 5th grade and from the 8th
3 grade to the 9th grade. The criteria shall include the pupil's score on the examination
4 administered under s. 118.30 (1m) (a) or (am), unless the pupil has been excused from
5 taking the examination under s. 118.30 (2) (b), the pupil's academic performance and
6 the recommendations of teachers, and may include any other criteria specified by the
7 school board. Except as provided in par. (b) 1., the criteria apply to pupils enrolled
8 in charter schools located in the school district.

9 2. Except as provided in par. (b) 2., beginning on September 1, 2002, a school
10 board may not promote a 4th grade pupil enrolled in the school district, including a
11 pupil enrolled in a charter school located in the school district, to the 5th grade, and
12 may not promote an 8th grade pupil enrolled in the school district, including a pupil
13 enrolled in a charter school located in the school district, to the 9th grade, unless the
14 pupil satisfies the criteria for promotion specified in the school board's policy adopted
15 under subd. 1.

16 (b) 1. Each operator of a charter school under s. 118.40 (2r) shall adopt a written
17 policy specifying the criteria for promoting a pupil from the 4th grade to the 5th grade
18 and from the 8th grade to the 9th grade. The criteria shall include the pupil's score
19 on the examination administered under s. 118.30 (1r) (a) or (am), unless the pupil has
20 been excused from taking the examination under s. 118.30 (2) (b), the pupil's
21 academic performance and the recommendations of teachers, and may include any
22 other criteria specified by the operator of the charter school.

23 2. Beginning on September 1, 2002, an operator of a charter school under s.
24 118.40 (2r) may not promote a 4th grade pupil to the 5th grade, and may not promote

1 an 8th grade pupil to the 9th grade, unless the pupil satisfies the criteria for
2 promotion specified in the charter school operator's policy under subd. 1.”.

3 ***b0574/3.1* 310.** Page 999, line 4: after that line insert:

4 ***b0574/3.1* SECTION 2086m.** 118.34 (4) of the statutes is created to read:

5 118.34 (4) The governor's work-based learning board shall review the local
6 technical preparation programs established under sub. (1) as operated during the
7 1999-2000 fiscal year, the organizational structure used to implement those
8 programs during that fiscal year and the allocation of funding to those programs for
9 that fiscal year to determine whether those programs, that organizational structure
10 and that allocation of funding should continue in the manner in which they were
11 provided during the 1999-2000 fiscal year beyond that fiscal year and shall submit
12 a plan for the implementation of those programs beyond the 1999-2000 fiscal year
13 to the joint committee on finance by June 15, 2000. If the cochairpersons of the
14 committee do not notify the governor's work-based learning board within 14 working
15 days after the date of submittal of the plan that the committee has scheduled a
16 meeting for the purpose of reviewing the plan, the board may implement the plan,
17 notwithstanding subs. (1), (2) and (3). If within 14 working days after the date of
18 submittal of the plan, the cochairpersons of the committee notify the governor's
19 work-based learning board that the committee has scheduled a meeting for the
20 purpose of reviewing the plan, the board may implement the plan, notwithstanding
21 subs. (1), (2) and (3), only as approved or modified by the committee.”.

22 ***b0097/1.1* 311.** Page 999, line 5: delete lines 5 to 7.

23 ***b0414/3.1* 312.** Page 999, line 25: after that line insert:

1 ***b0414/3.1*** **SECTION 2090m.** 118.40 (2r) (e) of the statutes is amended to
2 read:

3 118.40 (2r) (e) From the appropriation under s. 20.255 (2) (fm), the department
4 shall pay to the operator of the charter school an amount equal to the ~~shared cost per~~
5 ~~member in the previous school year of the school district operating under ch. 119~~ sum
6 of the amount paid under this paragraph in the previous school year and the amount
7 of revenue increase per pupil allowed under subch. VII of ch. 121 in the current school
8 year, multiplied by the number of pupils attending the charter school. The
9 department shall pay 25% of the total amount in September, 25% in December, 25%
10 in February and 25% in June. The department shall send the check to the operator
11 of the charter school.”.