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1 ***-2030/2.4* SECTION 2092.** 118.40 (2r) (g) of the statutes is repealed.

2 ***-1355/1.1* SECTION 2093.** 118.40 (7) (am) 1. of the statutes is amended to
3 read:

4 118.40 (7) (am) 1. Except as provided in ~~subds. subd. 2. and 3.~~, if a charter
5 school is established under sub. (2m) and located in the school district operating
6 under ch. 119, the school board of that school district shall determine whether or not
7 the charter school is an instrumentality of the school district. If the school board
8 determines that a charter school is an instrumentality of the school district, the
9 school board shall employ all personnel for the charter school. If the school board
10 determines that a charter school is not an instrumentality of the school district, the
11 school board may not employ any personnel for the charter school.

12 ***-1355/1.2* SECTION 2094.** 118.40 (7) (am) 3. of the statutes is repealed.

13 ***-1732/1.4* SECTION 2095.** 118.42 of the statutes is repealed.

14 ***-2039/4.2* SECTION 2096.** 118.43 (2) (a) of the statutes is amended to read:

15 118.43 (2) (a) The school board of any school district in which a school in the
16 previous school year had an enrollment that was at least 50% low-income is eligible
17 to participate in the program under this section, except that a school board is eligible
18 to participate in the program under this section in the 2000-01 school year if in the
19 1998-99 school year a school in the school district had an enrollment that was at least
20 50% low-income.

21 ***-2039/4.3* SECTION 2097.** 118.43 (2) (b) (intro.) of the statutes is amended to
22 read:

23 118.43 (2) (b) (intro.) In the 1996-97 ~~and 1998-99 school years year~~, the school
24 board of an eligible school district may enter into a 5-year achievement guarantee

1 contract with the department on behalf of one school in the school district if all of the
2 following apply:

3 ***-2039/4.4* SECTION 2098.** 118.43 (2) (bg) of the statutes is created to read:

4 118.43 (2) (bg) In the 1998–99 school year, the school board of an eligible school
5 district may enter into a 5–year achievement guarantee contract with the
6 department on behalf of one school in the school district if all of the following apply:

7 1. In the previous school year, the school had an enrollment that was at least
8 30% low–income.

9 2. The school board is not receiving a grant under the preschool to grade 5
10 program on behalf of the school under s. 115.45.

11 ***-2039/4.5* SECTION 2099.** 118.43 (2) (br) of the statutes is created to read:

12 118.43 (2) (br) In the 2000–01 school year, the school board of an eligible school
13 district other than the school district operating under ch. 119 may enter into a 5–year
14 achievement guarantee contract with the department on behalf of one or more
15 schools in the school district if all of the following apply:

16 1. In the previous school year, each school had an enrollment that was at least
17 65% low–income.

18 2. The school board is not receiving a grant under the preschool to grade 5
19 program on behalf of any of the schools under s. 115.45.

20 3. The school board, if eligible to participate in the program under this section
21 in the 1996–97 and 1998–99 school years, had participated in the program during
22 either school year.

23 4. None of the schools is a beneficiary of a contract under this section.

24 ***-2039/4.6* SECTION 2100.** 118.43 (2) (bt) of the statutes is created to read:

1 118.43 (2) (bt) In the 2000–01 school year, the school board of the school district
2 operating under ch. 119 may enter into a 5–year achievement guarantee contract
3 with the department on behalf of one or more schools in the school district if all of the
4 following apply:

5 1. In the previous school year, each school had an enrollment that was at least
6 65% low–income.

7 2. The school board is not receiving a grant under the preschool to grade 5
8 program under s. 115.45 on behalf of any of the schools.

9 3. None of the schools is a beneficiary of a contract under this section.

10 *–2039/4.7* **SECTION 2101.** 118.43 (2) (c) of the statutes is amended to read:

11 118.43 (2) (c) Notwithstanding ~~par. pars.~~ (b) and (bg), the school board of the
12 school district operating under ch. 119 may enter into an achievement guarantee
13 contract on behalf of up to 10 schools under par. (b) and up to 10 schools under par.
14 (bg).

15 *–2039/4.8* **SECTION 2102.** 118.43 (2) (e) 1. of the statutes is amended to read:

16 118.43 (2) (e) 1. If the school board of an eligible school district does not enter
17 into an achievement guarantee contract with the department, a school board that
18 has entered into such a contract, other than the school board of the school district
19 operating under ch. 119, may apply to the department to enter into such a contract
20 on behalf of one ~~additional school or more schools~~ that meets ~~meet~~ the requirements
21 under par. (b), (bg) or (br).

22 *–2039/4.9* **SECTION 2103.** 118.43 (2) (f) of the statutes is amended to read:

23 118.43 (2) (f) The department may not enter into an achievement guarantee
24 contract with a school board on behalf of a school after June 30, ~~1999~~ 2001.

1 ***-2039/4.10* SECTION 2104.** 118.43 (3) (intro.) of the statutes is amended to
2 read:

3 118.43 (3) CONTRACT REQUIREMENTS. (intro.) Except as provided in ~~par.~~ pars.
4 (am) and (ar), an achievement guarantee contract shall require the school board to
5 do all of the following in each participating school:

6 ***-2039/4.11* SECTION 2105.** 118.43 (3) (ar) of the statutes is created to read:

7 118.43 (3) (ar) *Class size; additional contracts.* For contracts that begin in the
8 2000–01 school year, reduce each class size to 15 in the following manner:

9 1. In the 2000–01 school year, in at least grades kindergarten and one.

10 2. In the 2001–02 school year, in at least grades kindergarten to 2.

11 3. In the 2002–03 to 2004–05 school years, in at least grades kindergarten to

12 3.

13 ***-2039/4.12* SECTION 2106.** 118.43 (5) (b) of the statutes is amended to read:

14 118.43 (5) (b) ~~At the end of the 1997–98, 1998–99, 1999–2000, 2000–01 and~~
15 ~~2001–02 school years~~ Annually by June 30 through the 2003–04 school year, a
16 committee consisting of the state superintendent, the chairpersons of the education
17 committees in the senate and assembly and the individual chiefly responsible for the
18 evaluation under sub. (7) shall review the progress made by each school for which
19 an achievement guarantee contract has been entered into. The committee may
20 recommend to the department that the department terminate a contract if the
21 committee determines that the school board has violated the contract or if the school
22 has made insufficient progress toward achieving its performance objectives under
23 sub. (4) (c). The department may terminate the contract if it agrees with the
24 committee's recommendation.

25 ***b0286/8.37* SECTION 2106r.** 118.43 (6) (b) 5. of the statutes is repealed. *W*

****NOTE: This repeals a provision made redundant by the creation of s. 118.43 (6) (b) 6., 7. and 8.

1 *~~2039/4.13~~* **SECTION 2107.** 118.43 (6) (b) 6., 7. and 8. of the statutes are
2 created to read:

3 118.43 (6) (b) 6. In the 2000–01 school year, divide the amount appropriated
4 by the sum of the number of low–income pupils enrolled in grades kindergarten to
5 3 in each school in this state covered by contracts under sub. (3) (a) and (am) and the
6 number of low–income pupils enrolled in grades kindergarten and one in each school
7 in this state covered by contracts under sub. (3) (ar) and multiply the quotient by the
8 number of pupils enrolled in those grades in each school in the school district covered
9 by contracts under this section.

10 7. In the 2001–02 school year, divide the amount appropriated by the sum of
11 the number of low–income pupils enrolled in grades kindergarten to 3 in each school
12 in this state covered by contracts under sub. (3) (am) and the number of low–income
13 pupils enrolled in grades kindergarten to 2 in each school in this state covered by
14 contracts under sub. (3) (ar) and multiply the quotient by the number of pupils
15 enrolled in those grades in each school in the school district covered by contracts
16 under this section.

17 8. In the 2002–03 to 2004–05 school years, divide the amount appropriated by
18 the number of low–income pupils enrolled in grades kindergarten to 3 in each school
19 in this state covered by contracts under sub. (3) (am) and (ar) and multiply the
20 quotient by the number of pupils enrolled in those grades in each school in the school
21 district covered by contracts under this section.

22 ***b0580/1.1*** **SECTION 2107f.** 118.55 (7r) (d) 1. (intro.) and a. of the statutes are
23 consolidated, renumbered 118.55 (7r) (d) 1. and amended to read:

1 118.55 (7r) (d) 1. For each pupil attending a technical college under this
2 subsection, the school board shall pay to the technical college district board, in 2
3 instalments payable upon initial enrollment and at the end of the semester, ~~the~~
4 following amount: ~~a. If the pupil is attending the technical college for less than 7~~
5 ~~credits that are eligible for high school credit~~, for those courses taken for high school
6 credit, an amount equal to the cost of tuition, course fees and books for the pupil at
7 the technical college.

8 ***b0580/1.1* SECTION 2107g.** 118.55 (7r) (d) 1. b. of the statutes is repealed.

9 ***b0580/1.1* SECTION 2107n.** 118.55 (7t) of the statutes is created to read:

10 118.55 (7t) LIMITATIONS ON PARTICIPATION AND PAYMENT. (a) When a pupil gains
11 12th grade status, as determined by the school board of the school district in which
12 the pupil is enrolled, the pupil may participate in the program under this section for
13 no more than 2 consecutive semesters.

14 (b) If a school board is required to pay tuition on behalf of a pupil under sub.
15 (5) (a) or (c) 1. or (7r) (d), the tuition charged may not exceed the amount that would
16 be charged a pupil who is a resident of this state.

17 ***b0580/1.1* SECTION 2107r.** 118.55 (7w) (title) of the statutes is repealed.

18 ***b0580/1.1* SECTION 2107t.** 118.55 (7w) of the statutes is renumbered 118.55
19 (7r) (f) and amended to read:

20 118.55 (7r) (f) A pupil taking a course at a technical college for high school
21 credit under this section subsection is not responsible for any portion of the tuition
22 and fees for the course if the school board is required to pay the technical college for
23 the course under ~~sub. (7r) par.~~ (d).

24 ***b0374/1.1* SECTION 2109m.** 119.23 (2) (a) 1. of the statutes is amended to
25 read:

1 119.23 (2) (a) 1. The pupil is a member of a family that has a total family income
2 that does not exceed an amount equal to 1.75 times the poverty level determined in
3 accordance with criteria established by the director of the federal office of
4 management and budget. The requirement under this subdivision does not apply
5 after the pupil's first school year of attendance at the private school under this
6 section.

7 ***b0414/3.2* SECTION 2109g.** 119.23 (4) of the statutes is renumbered 119.23
8 (4) (intro.) and amended to read:

9 119.23 (4) (intro.) Upon receipt from the pupil's parent or guardian of proof of
10 the pupil's enrollment in the private school, the state superintendent shall pay to the
11 parent or guardian, from the appropriation under s. 20.255 (2) (fu), an amount equal
12 to the sum of the amount of revenue increase per pupil allowed under subch. VII of
13 ch. 121 in the current school year and the following amount:

14 (a) 1. In the 1999–2000 school year, the total amount to which the school district
15 is ~~was~~ entitled under s. 121.08 in the 1998–99 school year divided by the school
16 district membership, ~~or an amount equal to the private school's operating and debt~~
17 service cost per pupil that is related to educational programming, as determined by
18 the department, whichever is less in the 1997–98 school year.

19 (b) The state superintendent shall pay 25% of the total amount under par. (a)
20 in September, 25% in November, 25% in February and 25% in May. The department
21 shall send the check to the private school. The parent or guardian shall restrictively
22 endorse the check for the use of the private school.

23 ***b0414/3.2* SECTION 2109r.** 119.23 (4) (a) 2. of the statutes is created to read:

24 119.23 (4) (a) 2. In the 2000–01 school year and in each school year thereafter,
25 the amount paid under this subsection in the previous school year.

1 *~~2030/2.5~~* SECTION 2110. 119.23 (5) (intro.) and (c) of the statutes are
2 consolidated, renumbered 119.23 (5) and amended to read:

3 119.23 (5) The state superintendent shall: ~~(c) Ensure~~ ensure that pupils and
4 parents and guardians of pupils who reside in the city are informed annually of the
5 private schools participating in the program under this section.

6 *~~2030/2.6~~* SECTION 2111. 119.23 (5) (a) of the statutes is repealed.

7 *~~2030/2.7~~* SECTION 2112. 119.23 (5) (b) of the statutes is repealed.

8 *~~b0607/3.6~~* SECTION 2113g. 119.24 of the statutes is amended to read:

9 **119.24 Admission of pupils.** ~~Each school under the jurisdiction of the board~~
10 ~~shall be open to pupils residing within the attendance district established for that~~
11 ~~school under s. 119.16 (2). A pupil residing in any such district may attend a school~~
12 ~~in another an attendance district other than the one in which he or she resides with~~
13 ~~the written permission of the superintendent of schools. Beginning in the 2000-01~~
14 ~~school year, the board shall provide spaces in each school for pupils who reside~~
15 ~~outside the attendance district for the school, but shall fill any unused spaces with~~
16 ~~pupils who reside in the attendance district. A pupil who attends a school may~~
17 ~~continue to attend that school until he or she graduates from the school and each~~
18 ~~sibling of that pupil shall be given priority over other pupils in the process of~~
19 ~~admission for that school.~~

20 *~~b0607/3.7~~* SECTION 2118g. 119.71 (2) of the statutes is repealed.

21 *~~b0607/3.7~~* SECTION 2118r. 119.71 (3) of the statutes is amended to read:

22 119.71 (3) (a) ~~The~~ Annually, the board shall ~~use the funds received under sub-~~
23 ~~(2) spend at least \$5,090,000~~ to expand its half-day 5-year-old kindergarten
24 program to a full-day program, as provided under par. (b), and shall enroll in the
25 expanded program only pupils who meet the income eligibility standards for a free

1 lunch under 42 USC 1758 (b). The board shall select pupils for the expanded program
2 based on the order in which the pupils register for the program.

3 (b) The board shall use the funds ~~received~~ specified under ~~sub. (2) par. (a)~~ to pay
4 the costs of teachers, aides and other support staff, transportation of staff to pupils'
5 homes, in-service programs, parental involvement programs and instructional
6 materials. The board may not use the funds to ~~supplant or replace funding otherwise~~
7 ~~available for full-day 5-year-old kindergarten or~~ to provide facilities to house the
8 program or to pay pupil transportation or indirect administrative costs associated
9 with the program.

10 ***-2024/3.5* SECTION 2119.** 119.72 (5) of the statutes is amended to read:

11 119.72 (5) From the appropriation under s. 20.255 (2) ~~(ee)~~ (kp), the state
12 superintendent shall pay to the board the amount specified in the spending plan
13 under s. 119.80 for the program under this section in each school year.

14 ***b0607/3.8* SECTION 2119m.** 119.74 (intro.) of the statutes is amended to read:

15 **119.74 Extended-day elementary grade, 4-year-old kindergarten and**
16 **alcohol and other drug abuse programs.** (intro.) ~~From the appropriation under~~
17 ~~s. 20.255 (2) (ee), the state superintendent shall pay to the~~ The board the amounts
18 specified in the spending plan under s. 119.80 shall spend at least \$430,000 for the
19 following programs in each school year:

20 ***b0607/3.8* SECTION 2120d.** 119.75 (2) (a) of the statutes is repealed.

21 ***b0607/3.8* SECTION 2120h.** 119.75 (2) (b) of the statutes is renumbered
22 119.75 (2) and amended to read:

23 119.75 (2) ~~The~~ Annually, the board shall ~~use the funds received under par. (a)~~
24 spend at least \$1,070,000 to pay the costs of teachers, aides and other support staff,
25 transportation of staff to pupils' homes, in-service programs, parental involvement

1 programs and instructional materials related to the programs under sub. (1). The
2 board may not use the funds to supplant or ~~replace funding otherwise available for~~
3 ~~first grade programs~~ or to provide facilities to house the programs under sub. (1) or
4 to pay pupil transportation or indirect administrative costs associated with the
5 programs under sub. (1).

6 ***b0607/3.8* SECTION 2120p.** 119.78 (1) of the statutes is renumbered 119.78.

7 ***b0607/3.8* SECTION 2120t.** 119.78 (2) of the statutes is repealed.

8 ***b0607/3.8* SECTION 2121m.** 119.80 (1) of the statutes is amended to read:

9 119.80 (1) The board shall submit to the governor a proposal for the
10 expenditure of the funds in the appropriation under s. 20.255 (2) ~~(ee)~~ (kp) in each
11 school year.

12 ***b0607/3.8* SECTION 2122m.** 119.80 (1m) of the statutes is amended to read:

13 119.80 (1m) Annually by June 1, the governor shall submit to the joint
14 committee on finance and to the appropriate standing committees of the legislature
15 under s. 13.172 (3) a proposal for the expenditure of the funds in the appropriation
16 under s. 20.255 (2) ~~(ee)~~ (kp) in the following school year. By June 15, each such
17 standing committee may submit written recommendations on the proposal to the
18 joint committee on finance.

19 ***-2024/3.9* SECTION 2123.** 119.80 (4) of the statutes is created to read:

20 119.80 (4) The department may not distribute any funds in the appropriation
21 under s. 20.255 (2) (kp) in any fiscal year until the spending plan for that fiscal year
22 has been approved.

23 ***-2024/3.10* SECTION 2124.** 119.82 (3) of the statutes is amended to read:

1 119.82 (3) From the appropriation under s. 20.255 (2) ~~(ee)~~ (kp), the state
2 superintendent shall pay to the board the amount specified in the spending plan
3 under s. 119.80 in each school year for the programs under sub. (1).

4 *~~0023/4.5~~* **SECTION 2125.** 120.13 (26r) of the statutes is amended to read:

5 120.13 (26r) ~~CONTRACTS FOR OUTPATIENT MENTAL HEALTH AND DEVELOPMENTAL~~
6 ~~DISABILITIES SERVICES.~~ Contract with the department of health and family services for
7 ~~outpatient services under s. 51.07 (4)~~ 46.043.

8 *~~1186/4.40~~* **SECTION 2126.** 120.13 (27m) of the statutes is amended to read:

9 120.13 (27m) ~~TRANSPORTATION OF INDIGENT PUPILS.~~ Provide transportation to
10 and from school for indigent pupils who reside in the school district and who are not
11 required to be transported under s. 121.54. In this subsection, “indigent pupils”
12 means pupils who are eligible for free lunches or reduced-price lunches under 42
13 ~~USC 1758 or aid to 18-year-old students under s. 49.20 or for whom aid to families~~
14 ~~with dependent children is being received under s. 49.19~~ or who are members of a
15 Wisconsin works group, as defined in s. 49.141 (1) (s), with a member who is
16 participating in Wisconsin works under s. 49.147 (3) to (5) or any combination
17 thereof, as determined by the school board. If a school board determines to provide
18 transportation under this subsection, there shall be reasonable uniformity in the
19 transportation furnished such pupils whether they attend public or private schools.
20 The cost of transporting pupils under this subsection may not be included in the
21 school district’s shared cost under s. 121.07 (6) (a).

22 *~~1277/5.1~~* **SECTION 2127.** 121.004 (7) (a) (intro.) of the statutes is amended
23 to read:

24 121.004 (7) (a) (intro.) “Pupils enrolled” is the total number of pupils, as
25 expressed by official enrollments, in all schools of the school district, except as

1 provided in pars. (b) to (e) ~~(f)~~. If such total contains a fraction, it shall be expressed
2 as the nearest whole number. The same method shall be used in computing the
3 number of pupils enrolled for resident pupils, nonresident pupils or both.

4 ***-1277/5.2* SECTION 2128.** 121.004 (7) (f) of the statutes is created to read:

5 121.004 (7) (f) A pupil who transfers from one school district to another under
6 s. 121.85 (3) (a) shall be counted by the school district in which the pupil resides as
7 0.5 pupil or, if appropriate, as a number equal to the result obtained by multiplying
8 0.5 by the appropriate fraction under under par. (c), (cm) or (d).

9 ***-1351/3.18* SECTION 2129.** 121.02 (1) (r) of the statutes is amended to read:

10 121.02 (1) (r) Annually ~~Annually~~ Except as provided in s. 118.40 (2r) (d) 2., annually
11 administer a standardized reading test developed by the department to all pupils
12 enrolled in the school district in grade 3, including pupils enrolled in charter schools
13 located in the school district.

14 ***-1264/1.1* SECTION 2130.** 121.02 (1) (s) of the statutes is amended to read:

15 121.02 (1) (s) Administer the examinations as required under s. 118.30 ~~(1m)~~
16 ~~(a), (am) and (b) and, beginning in the 1999–2000 school year, administer the high~~
17 ~~school graduation examination required under s. 118.30 (1m) (d).~~

18 ***-2030/2.8* SECTION 2131.** 121.05 (1) (a) 4. of the statutes is repealed.

19 ***-2030/2.9* SECTION 2132.** 121.05 (1) (a) 9. of the statutes is amended to read:

20 121.05 (1) (a) 9. Pupils enrolled in a charter school, other than a charter school
21 under s. 118.40 (2r).

22 ***-1277/5.3* SECTION 2134.** 121.05 (1) (a) 11. of the statutes is amended to read:

23 121.05 (1) (a) 11. Pupils residing in the school district but attending a public
24 school in another school district under s. 118.51 or 121.85 (3) (a).

25 ***-2030/2.10* SECTION 2135.** 121.07 (1) (a) of the statutes is amended to read:

1 121.07 (1) (a) The membership of the school district in the previous school year
2 and the shared cost for the previous school year shall be used in computing general
3 aid, ~~except that the membership used to compute state aid to the school district~~
4 ~~operating under ch. 119 shall include those pupils who are attending a private school~~
5 ~~under s. 119.23 in the current school year and were enrolled in grades kindergarten~~
6 ~~to 3 in a private school located in the city of Milwaukee other than under s. 119.23~~
7 ~~in the previous school year.~~ If a school district has a state trust fund loan as a result
8 of s. 24.61 (3) (c) 2., the school district's debt service costs shall be based upon current
9 school year costs for the term of the loan and for one additional school year.

10 ***b0607/3.11* SECTION 2135t.** 121.07 (6) (a) (intro.) of the statutes is amended
11 to read:

12 121.07 (6) (a) "Shared cost" is the sum of the net cost of the general fund and
13 the net cost of the debt service fund, except that "shared cost" excludes any costs,
14 including attorney fees, incurred by a school district as a result of its participation
15 in a lawsuit commenced against the state, beginning with such costs incurred in the
16 fiscal year in which the lawsuit is commenced and excludes the costs of transporting
17 those transfer pupils for whom the school district operating under ch. 119 does not
18 receive intradistrict transfer aid under s. 121.85 (6) as a result of s. 121.85 (6) (am).

19 In this paragraph, "net cost of the debt service fund" includes all of the following
20 amounts:

21 ***-1309/4.1* SECTION 2136.** 121.07 (7) (b) of the statutes is amended to read:

22 121.07 (7) (b) The "secondary guaranteed valuation per member" is an amount,
23 rounded to the next lower dollar, that, after subtraction of payments under ss.
24 121.09, ~~121.105,~~ and 121.85 (6) (b) 2. and 3. and (c) ~~and 121.86,~~ fully distributes an
25 amount equal to the amount remaining in the appropriation under s. 20.255 (2) (ac)

1 plus \$75,000,000 in the 1997–98 school year and \$100,000,000 in the 1998–99 school
2 year for payments under ss. 121.08 ~~and, 121.105,~~ 121.85 (6) (a) and (g) ~~and 121.86.~~

3 ***b0414/3.3* SECTION 2136m.** 121.08 (4) of the statutes is created to read:

4 121.08 (4) (a) The amount of state aid that a school district is eligible to be paid
5 from the appropriation under s. 20.255 (2) (ac) shall be reduced by the amount
6 determined as follows:

7 1. Add the amounts paid under ss. 118.40 (2r) (e) and 119.23 (4) in the current
8 school year.

9 2. Divide the sum under subd. 1. by the total amount of state aid that all school
10 districts are eligible to be paid from the appropriation under s. 20.255 (2) (ac).

11 3. Multiply the amount of state aid that the school district is eligible to be paid
12 from the appropriation under s. 20.255 (2) (ac) by the quotient under subd. 2.

13 (b) The state superintendent shall ensure that the total amount of aid
14 reduction under par. (a) lapses to the general fund.

15 ***-1309/4.2* SECTION 2137.** 121.105 (2) (a) 1. of the statutes is amended to read:

16 121.105 (2) (a) 1. If a school district would receive less ~~than 85% of the state~~
17 ~~aid for the current school year in state aid in the current year than an amount equal~~
18 ~~to 85% of the state aid that it received as state aid in the previous school year,~~ its state
19 aid for the current school year shall be increased to an amount equal to 85% of the
20 state aid received in the previous school year.

21 ***b0370/1.1* SECTION 2137m.** 121.105 (2) (a) 2. of the statutes is amended to
22 read:

23 121.105 (2) (a) 2. If a school district would receive less in state aid in the current
24 school year than an amount equal to the aid that it received in the previous school
25 year minus \$1,000,000, its state aid for the current school year shall be increased to

1 an amount equal to the state aid that it received in the previous school year minus
2 \$1,000,000. This subdivision does not apply after the 1998–99 school year.

3 ***-1309/4.3* SECTION 2138.** 121.105 (2) (a) 3. of the statutes is amended to read:

4 121.105 (2) (a) 3. A school district eligible for aid under subd. 1. and 2. in the
5 1998–99 school year shall receive the greater of the aid amounts under subd. 1. or
6 2. The additional aid shall be paid from the appropriations under s. 20.255 (2) (ac)
7 and (q).

8 ***b0402/3.2* SECTION 2139m.** 121.15 (3m) (a) 1. of the statutes is renumbered
9 121.15 (3m) (a) 1m. (intro.) and amended to read:

10 121.15 (3m) (a) 1m. (intro.) “Partial school revenues” means the sum of state
11 school aids, other than the amounts appropriated under s. 20.255 (2) (bi) and (cv),
12 and property taxes levied for school districts and aid paid to school districts under
13 s. 79.095 (4), less the amount of any revenue limit increase under s. 121.91 (4) (a) 2.
14 due to a school board’s increasing the services that it provides by adding
15 responsibility for providing a service transferred to it from another school board and,
16 less the amount of any revenue limit increase under s. 121.91 (4) (a) 3. and less the
17 amount by which property taxes levied to pay debt service exceed an amount
18 determined as follows:

19 ***b0402/3.2* SECTION 2139n.** 121.15 (3m) (a) 1d. of the statutes is created to
20 read:

21 121.15 (3m) (a) 1d. “Debt service” means the payment of any general obligation
22 debt service, including debt service on debt issued or reissued to fund or refund
23 outstanding municipal obligations, interest on outstanding municipal obligations or
24 the payment of related issuance costs or redemption premiums, authorized by a
25 referendum and secured by the full faith and credit of the school district.

1 ***b0402/3.2* SECTION 2139p.** 121.15 (3m) (a) 1m. a., b. and c. of the statutes are
2 created to read:

3 121.15 (3m) (a) 1m. a. In the 2000–01 school year, \$420,000,000.

4 b. In the 2001–02 school year, \$420,000,000 multiplied by the sum of 1.0 plus
5 the allowable rate of increase under s. 73.0305 expressed as a decimal.

6 c. In the 2002–03 school year and in any school year thereafter, the amount
7 determined in the previous school year under this subd. 1m. c. or under subd. 1m.
8 b. multiplied by the sum of 1.0 plus the allowable rate of increase under s. 73.0305
9 expressed as a decimal.

10 ***-0250/4.10* SECTION 2140.** 121.15 (3m) (a) 2. of the statutes is amended to
11 read:

12 121.15 (3m) (a) 2. “State school aids” means those aids appropriated under s.
13 20.255 (2), other than s. 20.255 (2) (fm), (fu), (k) and (m), and under ss. 20.275 (1) (d),
14 (es), (et), and (f), ~~(fs) and (u)~~ and 20.285 (1) (ee), (r) and (rc) and those aids
15 appropriated under s. 20.275 (1) (s) that are used to provide grants or educational
16 telecommunications access to school districts under s. ~~196.218 (4r)~~ 44.73.

17 ***-1385/2.2* SECTION 2141.** 121.15 (4) of the statutes is renumbered 121.15 (4)
18 (b) and amended to read:

19 121.15 (4) (b) On July 1 and October 15, using the most accurate data available,
20 the state superintendent shall provide the department of revenue and each school
21 district with an estimate of the total amount of state aid, ~~as defined in s. 121.90 (2),~~
22 the school district will receive in the current school year. On October 15, using the
23 most accurate data available, the state superintendent shall calculate the total
24 amount of state aid, ~~as defined in s. 121.90 (2),~~ that each school district will receive
25 in the current school year. Any adjustments to that calculation shall be made by

1 increasing or decreasing the payment made in September of the following school
2 year.

3 ***-1385/2.3* SECTION 2142.** 121.15 (4) (a) of the statutes is created to read:

4 121.15 (4) (a) In this subsection, “state aid” has the meaning given in s. 121.90
5 (2) except that it excludes aid paid to school districts under s. 79.095 (4).

6 ***b0607/3.12* SECTION 2142d.** 121.58 (5) of the statutes is amended to read:

7 121.58 (5) STATE SUPERINTENDENT APPROVAL. If the state superintendent is
8 satisfied that transportation or board and lodging was provided in compliance with
9 law, the state superintendent shall certify to the department of administration the
10 sum due the school district. The state superintendent may not certify payment of
11 state aid under sub. (2) for the number of pupils calculated under s. 121.85 (6) (am).

12 In case of differences concerning the character and sufficiency of the transportation
13 or board and lodging, the state superintendent may determine such matter and his
14 or her decision is final.

15 ***b0607/3.12* SECTION 2142m.** 121.85 (6) (a) (intro.) of the statutes is amended
16 to read:

17 121.85 (6) (a) *Intradistrict transfer.* (intro.) The Except as provided under pars.
18 (am) and (ar), the school district of attendance of pupils transferring from one
19 attendance area to another under subs. (3) (b) and (4) shall be entitled to an amount
20 determined as follows:

21 ***-1277/5.4* SECTION 2143.** 121.85 (6) (a) 2. of the statutes is amended to read:

22 121.85 (6) (a) 2. Multiply the number of transfer pupils, as counted for
23 membership purposes under s. 121.004 (7), by 0.25.

24 ***b0607/3.13* SECTION 2143m.** 121.85 (6) (am) of the statutes is created to
25 read:

1 121.85 (6) (am) *Reduction of intradistrict transfer aid.* The school district
2 operating under ch. 119 may not receive aid under par. (a) for the number of pupils
3 calculated as follows, if the calculation results in a positive number:

4 1. In the 2000–01 school year:

5 a. Subtract from 75% the percentage of pupils whose parents or guardians have
6 provided the board of school directors with written consent to a pupil transfer to
7 another attendance area.

8 b. Multiply the result under subd. 1. a. by the total number of transfer pupils
9 under par. (a) in the current school year.

10 2. In the 2001–02 school year:

11 a. Subtract from 80% the percentage of pupils whose parents or guardians have
12 provided the board of school directors with written consent to a pupil transfer to
13 another attendance area.

14 b. Multiply the result under subd. 2. a. by the total number of transfer pupils
15 under par. (a) in the current school year.

16 3. In the 2002–03 school year:

17 a. Subtract from 90% the percentage of pupils whose parents or guardians have
18 provided the board of school directors with written consent to a pupil transfer to
19 another attendance area.

20 b. Multiply the result under subd. 3. a. by the total number of transfer pupils
21 under par. (a) in the current school year.

22 4. In the 2003–04 school year:

23 a. Subtract from 95% the percentage of pupils whose parents or guardians have
24 provided the board of school directors with written consent to a pupil transfer to
25 another attendance area.

1 b. Multiply the result under subd. 4. a. by the total number of transfer pupils
2 under par. (a) in the current school year.

3 5. In the 2004–05 school year and each school year thereafter, the number of
4 pupils whose parents or guardians have not provided the board of school directors
5 with written consent to a pupil transfer to another attendance area.

6 ***b0607/3.13* SECTION 2143p.** 121.85 (6) (ar) of the statutes is created to read:

7 121.85 (6) (ar) *Hold harmless.* 1. In the 1999–2000 school year, the department
8 shall pay to the school district operating under ch. 119 the greater of the following:

9 a. The amount of aid received in the 1998–99 school year under par. (a)
10 multiplied by the sum of 1.0 plus the allowable rate of increase under s. 73.0305
11 expressed as a decimal.

12 b. The amount of aid to which the school district is entitled under par. (a).

13 2. Except as provided in subd. 3., in the 2000–01 school year and in each school
14 year thereafter, the department shall pay to the school district operating under ch.
15 119 the greater of the following:

16 a. The amount of aid received in the 1998–99 school year under par. (a),
17 adjusted annually for the school years since 1998–99 by the allowable rate of increase
18 under s. 73.0305 as described under subd. 1. a., less the reduction under par. (am).

19 b. The amount of aid to which the school district is entitled under par. (a), less
20 the reduction under par. (am).

21 3. a. If one or more bonds are issued under s. 66.431 (5) (a) 4., subd. 2. does not
22 apply beginning in the first fiscal year following certification by the secretary of
23 administration to the department that the last principal and interest payment on the
24 bonds has been made.

1 b. If no bonds are issued under s. 66.431 (5) (a) 4. by the date specified in that
2 section, subd. 2. does not apply beginning in the first fiscal year following that date.

3 ***-1277/5.5* SECTION 2144.** 121.85 (6) (b) 1. of the statutes is repealed.

4 ***-1277/5.6* SECTION 2145.** 121.85 (6) (f) of the statutes is repealed.

5 ***b0607/3.14* SECTION 2146g.** 121.85 (6m) of the statutes is created to read:

6 121.85 (6m) USE OF AID FOR DEBT SERVICE. The board of directors of the school
7 district operating under ch. 119 may use intradistrict transfer aid under sub. (6) to
8 pay debt service on bonds issued under s. 66.431 (5m). If the board of school directors
9 decides to use the aid to pay the debt service, it may request the department to remit
10 the intradistrict transfer aid under sub. (6) to the redevelopment authority of the city
11 of Milwaukee in an annual amount agreed to by the board of school directors and the
12 department, and the department shall ensure that the aid remittance does not affect
13 the amount determined to be received by the board of school directors as state aid
14 under s. 121.08 for any other purpose.

15 ***b0607/3.14* SECTION 2146r.** 121.85 (7) of the statutes is amended to read:

16 121.85 (7) TRANSPORTATION. Transportation shall be provided to pupils
17 transferring schools under this section if required under subch. IV. Transportation
18 for a pupil attending a public school under sub. (3) (a) outside the pupil's school
19 district of residence shall be provided pursuant to agreement between the school
20 district of residence and the school district of attendance. If either the school district
21 of residence or the school district of attendance operates a program of intradistrict
22 transfers under sub. (3) (b), that school district shall be responsible for the cost of
23 transportation. The school district may meet this responsibility either by
24 contracting directly for provision of transportation or by reimbursing another school
25 district for the cost of such a contract. Transportation for a pupil attending a public

1 school under sub. (3) (b) outside his or her attendance area of residence may be
2 provided by his or her school district. A school district providing transportation
3 under this subsection may not claim transportation aid under subch. IV for pupils
4 so transported. A school district that transports a pupil who moves outside his or her
5 attendance district during the school year to the school in the pupil's former
6 attendance district may use intradistrict transfer aid under sub. (6) to pay the costs
7 of transporting the pupil.

8 ***b0607/3.14* SECTION 2146w.** 121.87 (3) of the statutes is created to read:

9 121.87 (3) In addition to the report under sub. (1), annually by May 1 the board
10 of school directors of the school district operating under ch. 119 shall submit a report
11 to the legislature under s. 13.172 (2) that specifies the number, percentage, race, sex,
12 grade and attendance area of pupils transferred outside their attendance area
13 without written consent under s. 121.85 (6) (am).

14 ***-1277/5.7* SECTION 2147.** 121.90 (1) (e) of the statutes is created to read:

15 121.90 (1) (e) In determining a school district's revenue limit for the 2000–01
16 school year or for any school year thereafter, the department shall calculate the
17 number of pupils enrolled in each school year prior to the 2000–01 school year as the
18 number was calculated in that school year under s. 121.85 (6) (b) 1. and (f), 1997 stats.

19 ***-1309/4.4* SECTION 2148.** 121.90 (2) (intro.) of the statutes is amended to
20 read:

21 121.90 (2) (intro.) "State aid" means aid under ss. 121.08, 121.09 and 121.105
22 and subch. VI, as calculated for the current school year on October 15 under s. 121.15
23 (4) and including adjustments made under s. 121.15 (4), except that "state aid"
24 excludes all of the following:

25 ***b0385/1.1* SECTION 2148m.** 121.905 (1) of the statutes is amended to read:

1 121.905 (1) In this section, “revenue ceiling” means ~~\$5,900~~ \$6,300 in the
2 ~~1997-98~~ 1999-2000 school year and in any subsequent school year means ~~\$6,100~~
3 \$6,500.

4 *~~1309/4.5~~* SECTION 2149. 121.905 (3) (a) 1. of the statutes is amended to read:

5 121.905 (3) (a) 1. Except as provided under subd. 2., calculate the sum of the
6 amount of state aid received ~~under ss. 121.08 and 121.105 and subch. VI~~ in the
7 previous school year and property taxes levied for the previous school year, excluding
8 funds described under s. 121.91 (4) (c), and the costs of the county children with
9 disabilities education board program, as defined in s. 121.135 (2) (a) 2., for pupils who
10 were school district residents and solely enrolled in a special education program
11 provided by a county children with disabilities education board in the previous school
12 year.

13 *~~1309/4.6~~* SECTION 2151. 121.905 (4) of the statutes is renumbered 121.905
14 (4) (a) and amended to read:

15 121.905 (4) (a) A school district that is exempt from the revenue limits under
16 sub. (2) may not increase its base revenue per member to an amount that is greater
17 than its revenue ceiling ~~unless that~~.

18 **(b) 1. A school district follows may increase its revenue ceiling by following the**
19 **procedures prescribed in s. 121.91 (3).**

20 *~~1309/4.7~~* SECTION 2152. 121.905 (4) (b) 2. of the statutes is created to read:

21 121.905 (4) (b) 2. The department shall, under s. 121.91 (4), adjust the revenue
22 ceiling otherwise applicable to a school district under this section as if the revenue
23 ceiling constituted a revenue limit under s. 121.91 (2m).

24 *~~2030/2.12~~* SECTION 2153. 121.91 (2m) (d) (intro.) of the statutes is amended
25 to read:

1 121.91 (2m) (d) (intro.) Except as provided in subs. (3) and (4), no school district
2 may increase its revenues for the 1998–99 school year ~~or for any school year~~
3 ~~thereafter~~ to an amount that exceeds the amount calculated as follows:

4 *~~2030/2.13~~* **SECTION 2154.** 121.91 (2m) (e) of the statutes is renumbered
5 121.91 (2m) (r), and 121.91 (2m) (r) 1. (intro.) and b. and 2., as renumbered, are
6 amended to read:

7 121.91 (2m) (r) 1. (intro.) Notwithstanding pars. (c) ~~and~~, (d) and (e), if a school
8 district is created under s. 117.105, its revenue limit under this section for the school
9 year beginning with the effective date of the reorganization shall be determined as
10 follows except as provided under subs. (3) and (4):

11 b. Add \$206 ^{del. extra space} an amount equal to the amount of revenue increase per pupil
12 allowed under this subsection for the previous school year multiplied by the sum of
13 1.0 plus the allowable rate of increase under s. 73.0305 expressed as a decimal to the
14 result under subd. 1. a.

15 2. If a school district is created under s. 117.105, the following adjustments to
16 the calculations under pars. (c) ~~and~~, (d) and (e) apply for the 2 school years beginning
17 on the July 1 following the effective date of the reorganization:

18 a. For the school year beginning on the first July 1 following the effective date
19 of the reorganization the number of pupils in the previous school year shall be used
20 under pars. (c) 1. ~~and~~, (d) 1. and (e) 1. instead of the average of the number of pupils
21 in the 3 previous school years, and for the school year beginning on the 2nd July 1
22 following the effective date of the reorganization the average of the number of pupils
23 in the 2 previous school years shall be used under pars. (c) 1. ~~and~~, (d) 1. and (e) 1.
24 instead of the average of the number of pupils in the 3 previous school years.

1 b. For the school year beginning on the first July 1 following the effective date
2 of the reorganization the average of the number of pupils in the current and the
3 previous school years shall be used under pars. (c) 4. ~~and~~, (d) 4. and (e) 3. instead of
4 the average of the number of pupils in the current and the 2 preceding school years.

5 *~~2030/2.14~~* SECTION 2155. 121.91 (2m) (e) of the statutes is created to read:

6 121.91 (2m) (e) Except as provided in subs. (3) and (4), no school district may
7 increase its revenues for the 1999–2000 school year or for any school year thereafter
8 to an amount that exceeds the amount calculated as follows:

9 1. Divide the sum of the amount of state aid received in the previous school year
10 and property taxes levied for the previous school year, excluding funds described
11 under sub. (4) (c), by the average of the number of pupils enrolled in the 3 previous
12 school years.

13 2. Multiply the amount of the revenue increase per pupil allowed under this
14 subsection for the previous school year by the sum of 1.0 plus the allowable rate of
15 increase under s. 73.0305 expressed as a decimal.

16 3. Add the result under subd. 1. to the result under subd. 2.

17 ← 4. Multiply the result under subd. 3. by the average of the number of pupils
18 enrolled in the current and the 2 preceding school years.

19 *~~1309/4.8~~* SECTION 2157. 121.91 (3) (d) of the statutes is renumbered 121.91
20 (7) and amended to read:

21 121.91 (7) If Except as provided in sub. (4) (f) 2., if an excess revenue is
22 approved under ~~this subsection~~ sub. (3) for a recurring purpose or allowed under sub.
23 (4), the excess revenue shall be included in the base for determining the limit for the
24 next school year for purposes of this section. If an excess revenue is approved under
25 ~~this subsection~~ sub. (3) for a nonrecurring purpose, the excess revenue shall not be

1 included in the base for determining the limit for the next school year for purposes
2 of this section.

3 ***-2030/2.15* SECTION 2158.** 121.91 (4) (f) of the statutes is amended to read:
4 121.91 (4) (f) 1. For the ~~1998-99~~ 1999-2000 school year or any school year
5 thereafter, if the average of the number of pupils enrolled in the current and the 2
6 preceding school years, ~~as calculated under sub. (2m) (d) 4,~~ is less than the average
7 of the number of pupils enrolled in the 3 previous school years, ~~as calculated under~~
8 ~~sub. (2m) (d) 1,~~ the limit otherwise applicable under sub. (2m) (d) (e) is increased by
9 the additional amount that would have been calculated had the decline in average
10 enrollment been 25% of what it was.

11 2. Any additional revenue received by a school district as a result of subd. 1.
12 shall not be included in the base for determining the school district's limit under sub.
13 (2m) ~~(d)~~ (e) for the following school year.

14 ***b0372/2.1* SECTION 2158g.** 121.91 (4) (fm) of the statutes is created to read:
15 121.91 (4) (fm) 1. Beginning in the 1999-2000 school year, if the average of the
16 number of pupils enrolled in the current and the 2 preceding school years is more
17 than the average of the number of pupils enrolled in the 3 previous school years, the
18 limit otherwise applicable under sub. (2m) (e) is decreased by the difference between
19 that limit and the amount that would have been calculated had the increase in
20 average enrollment been 75% of what it was.

21 2. Any decrease in revenue received by a school district as a result of subd. 1.
22 shall not be excluded from the base for determining the school district's limit under
23 sub. (2m) (e) in the following school year.

24 ***-1309/4.9* SECTION 2159.** 121.92 (title) of the statutes is amended to read:
25 **121.92 (title) Penalty for exceeding revenue ceiling or limit.**

1 ***-1309/4.10* SECTION 2160.** 121.92 (1) of the statutes is amended to read:

2 121.92 (1) In this section, “excess revenue” means the amount by which a school
3 district’s revenue exceeds ~~the maximum allowed~~ its ceiling under s. 121.905 or its
4 limit under s. 121.91.

5 ***-1309/4.11* SECTION 2161.** 121.92 (2) (a) of the statutes is amended to read:

6 121.92 (2) (a) Deduct from the state aid payment to a school district under s.
7 121.08 in the school year in which the school district exceeded the revenue ceiling or
8 limit an amount equal to the excess revenue for the school district or the amount of
9 those aids, whichever is less.

10 ***-1309/4.12* SECTION 2162.** 121.92 (2) (b) of the statutes is amended to read:

11 121.92 (2) (b) If the amount of the deduction under par. (a) is insufficient to
12 cover the excess revenue, deduct from the other state aid payments to the school
13 district in the school year in which the school district exceeded the revenue ceiling
14 or limit an amount equal to the remaining excess revenue or the amount of those
15 payments, whichever is less.

16 ***-1309/4.13* SECTION 2163.** 121.92 (2) (e) of the statutes is amended to read:

17 121.92 (2) (e) Ensure that the amount of the excess revenue is not included in
18 determining the school district’s ~~limits~~ ceiling or limit in the succeeding school year.

19 ***b0659/1.1* SECTION 2165e.** 125.26 (2s) of the statutes is created to read:

20 125.26 (2s) (a) In this subsection:

21 1. “Coliseum” means a multipurpose facility designed principally for sports
22 events, with a capacity of 18,000 or more persons.

23 2. “Concessionaire” means a person designated by the owner or operator of a
24 coliseum to operate premises in the coliseum and to provide fermented malt
25 beverages to holders of coliseum suites.

1 (b) Notwithstanding s. 125.04 (3) (a) 3. and (9), a Class “B” license authorizes
2 a person operating a coliseum or a concessionaire to furnish the holder of a coliseum
3 suite who has attained the legal drinking age with a selection of fermented malt
4 beverages in the coliseum suite that is not part of the Class “B” premises. Fermented
5 malt beverages furnished under this paragraph shall be furnished in original
6 packages or containers and stored in a cabinet, refrigerator or other secure storage
7 place. The cabinet, refrigerator or other secure storage place or the coliseum suite
8 must be capable of being locked. The cabinet, refrigerator or other secure storage
9 place or the coliseum suite shall be locked, or the fermented malt beverages shall be
10 removed from the coliseum suite, when the coliseum suite is not occupied and when
11 fermented malt beverages are not being furnished under this paragraph. Fermented
12 malt beverages may be furnished at the time the holder occupies the coliseum suite,
13 but for purposes of this chapter, the sale of fermented malt beverages furnished
14 under this paragraph is considered to occur at the time and place that the holder pays
15 for the fermented malt beverages. Notwithstanding s. 125.32 (3), the holder of a
16 coliseum suite may pay for the fermented malt beverages at any time if he or she pays
17 in accordance with the terms of an agreement with the person operating the coliseum
18 or with the concessionaire. An individual who stocks or accepts payment for alcohol
19 beverages under this paragraph shall be the licensee, the agent named in the license
20 if the licensee is a corporation or limited liability company or the holder of a
21 manager’s or operator’s license or be supervised by one of those individuals.

22 ***b0659/1.1* SECTION 2165j.** 125.51 (3) (bs) of the statutes is created to read:
23 125.51 (3) (bs) 1. In this paragraph:
24 a. “Coliseum” means a multipurpose facility designed principally for sports
25 events, with a capacity of 18,000 or more persons.

1 b. “Concessionaire” means a person designated by the owner or operator of a
2 coliseum to operate premises in the coliseum and to provide intoxicating liquor to
3 holders of coliseum suites.

4 2. Notwithstanding pars. (a) and (b) and s. 125.04 (3) (a) 3. and (9), a “Class B”
5 license authorizes a person operating a coliseum to furnish the holder of a coliseum
6 suite who has attained the legal drinking age with a selection of intoxicating liquor
7 in the coliseum suite that is not part of the “Class B” premises. Intoxicating liquor
8 furnished under this subdivision shall be furnished in original packages or
9 containers and stored in a cabinet, refrigerator or other secure storage place. The
10 cabinet, refrigerator or other secure storage place or the coliseum suite must be
11 capable of being locked. The cabinet, refrigerator or other secure storage place or the
12 coliseum suit shall be locked, or the intoxicating liquor shall be removed from the
13 coliseum suit, when the coliseum suit is not occupied and when intoxicating liquor
14 is not being furnished under this subdivision. Intoxicating liquor may be furnished
15 at the time the holder of the coliseum suite occupies the coliseum suite, but for
16 purposes of this chapter, the sale of intoxicating liquor furnished under this
17 subdivision is considered to occur at the time and place that the holder pays for the
18 intoxicating liquor. Notwithstanding s. 125.68 (4) (c), the holder of a coliseum suite
19 may pay for the intoxicating liquor at any time if he or she pays in accordance with
20 an agreement with the person operating the coliseum or with the concessionaire. An
21 individual who stocks or accepts payment for alcohol beverages under this
22 subdivision shall be the licensee, the agent named in the license if the licensee is a
23 corporation or limited liability company or the holder of a manager’s or operator’s
24 license or be supervised by one of those individuals.

25 ***b0238/4.7* SECTION 2169g.** 138.056 (1) (b) of the statutes is amended to read:

1 138.056 (1) (b) "Dwelling" includes a cooperative housing unit and a mobile
2 home, as defined in s. ~~218.10 (2)~~ 101.91 (2e).

3 *b0238/4.7* **SECTION 2169m.** 138.056 (1) (c) of the statutes is amended to read:

4 138.056 (1) (c) "Mobile home transaction" means a consumer credit sale, as
5 defined in s. 421.301 (9), of or a consumer loan, as defined in s. 421.301 (12), secured
6 by a first lien or equivalent security interest in a mobile home, as defined in s. ~~218.10~~
7 ~~(2)~~ 101.91 (2e).

8 *b0238/4.7* **SECTION 2169r.** 138.09 (7) (jm) 1. b. of the statutes is amended to
9 read:

10 138.09 (7) (jm) 1. b. The loan administration fee is charged for a consumer loan
11 that is secured primarily by an interest in real property or in a mobile home, as
12 defined in s. ~~218.10 (2)~~ 101.91 (2e).

13 *~~0619/1.2~~* **SECTION 2171.** 139.30 (5) of the statutes is amended to read:

14 139.30 (5) "Indian tribe" means a federally recognized American Indian tribe
15 or band in this state.

16 *b0654/3.1* **SECTION 2171m.** 139.30 (13m) of the statutes is created to read:

17 139.30 (13m) "Trust lands" means any lands in this state held in trust by the
18 U. S. government for the benefit of a tribe or a member of a tribe.

19 *b0674/1.2* **SECTION 2171g.** 139.30 (8) of the statutes is repealed.

20 *~~0619/1.3~~* **SECTION 2172.** 139.323 (intro.) of the statutes is amended to read:

delete extra space?
21 **139.323 Refunds to Indian tribes.** (intro.) The department ~~shall~~ may refund
22 ~~70%~~ a portion of the taxes collected under s. 139.31 (1) in respect to sales on
23 reservations or trust lands of an Indian tribe to the tribal council of the tribe having
24 jurisdiction over the reservation or trust land on which the sale is made only if all
25 of the following conditions are fulfilled:

1 ***b0654/3.4* SECTION 2172g.** 139.323 (6) of the statutes is created to read:

2 139.323 (6) The department has entered into an agreement with the Indian
3 tribe under s. 139.325.

4 ***b0654/3.4* SECTION 2172m.** 139.325 of the statutes is amended to read:

5 **139.325 Agreements with Indian tribes.** The department may enter into
6 agreements with Indian tribes to provide for the refunding of the cigarette tax
7 imposed under s. 139.31 (1). If the department enters into an agreement with an
8 Indian tribe, the agreement may provide for refunding 100% of that tax on cigarettes
9 sold on ~~reservations~~ the tribal reservation to enrolled members of the tribe residing
10 on the tribal reservation and may provide for refunding not more than 70% of that
11 tax on cigarettes sold on the tribal reservation to persons who are not enrolled
12 members of the tribe residing on the tribal reservation.

13 ***b0674/1.3* SECTION 2172^{nkt}m.** 139.34 (1) (a) of the statutes is amended to read:

14 139.34 (1) (a) No person may manufacture cigarettes in this state or sell
15 cigarettes in this state as a distributor, jobber, or vending machine operator ~~or~~
16 ~~multiple retailer~~ and no person may operate a warehouse in this state for the storage
17 of cigarettes for another person without first filing an application for and obtaining
18 the proper permit to perform such operations from the department.

19 ***b0674/1.3* SECTION 2172^{ok}m.** 139.34 (6) of the statutes is amended to read:

20 139.34 (6) A vending machine operator ~~or a multiple retailer~~ may acquire
21 unstamped cigarettes from the manufacturers thereof and affix the stamps to
22 packages or other containers only if the vending machine operator ~~or multiple~~
23 ~~retailer~~ also holds a permit as a distributor.

24 ***b0674/1.3* SECTION 2172p.** 139.38 (1) of the statutes is amended to read:

1 139.38 (1) Every manufacturer located out of the state shall keep records of all
2 sales of cigarettes shipped into this state. Every manufacturer located in the state
3 shall keep records of production, sales and withdrawals of cigarettes. Every
4 distributor shall keep records of purchases and sales of cigarettes. Every
5 manufacturer and distributor holding a permit from the secretary with the right to
6 purchase and apply stamps shall also keep records of purchases and disposition of
7 stamps. Every jobber, ~~multiple retailer~~ and vending machine operator shall keep
8 records of all purchases and disposition of cigarettes. Every warehouse operator
9 shall keep records of receipts and withdrawals of cigarettes. All such records shall
10 be accurate and complete and be kept in a manner prescribed by the secretary. These
11 records shall be preserved on the premises described in the permit or license in such
12 a manner as to ensure permanency and accessibility for inspection at reasonable
13 hours by authorized personnel of the department.

14 ***b0674/1.3* SECTION 2172r.** 139.38 (2) (b) of the statutes is amended to read:

15 139.38 (2) (b) The department may allow any jobber, ~~multiple retailer~~ or
16 vending machine operator permittee who does not sell cigarettes, except for those on
17 which the tax under this chapter is paid, to file a quarterly report. The quarterly
18 report shall be filed on or before the 15th day of the next month following the close
19 of each calendar quarter. The report shall specify the number of cigarettes purchased
20 and sold during the preceding calendar quarter.

21 ***-0619/1.4* SECTION 2173.** 139.75 (4d) of the statutes is created to read:

22 139.75 (4d) “Enrolled member” has the meaning given in s. 139.30 (4).

23 ***-0619/1.5* SECTION 2174.** 139.75 (4p) of the statutes is created to read:

24 139.75 (4p) “Indian tribe” has the meaning given in s. 139.30 (5).

25 ***-0619/1.6* SECTION 2175.** 139.75 (6m) of the statutes is created to read:

1 139.75 (6m) "Reservation" has the meaning given in s. 139.30 (9).

2 *b0654/3.5* SECTION 2175m. 139.75 (12m) of the statutes is created to read:

3 139.75 (12m) "Trust lands" has the meaning given in s. 139.30 (13m).

4 *-0619/1.7* SECTION 2176. 139.76 (1) of the statutes is amended to read:

5 139.76 (1) An occupational excise tax is imposed upon the sale, offering or
6 exposing for sale, possession with intent to sell or removal for consumption or sale
7 or other disposition for any purpose of tobacco products by any person engaged as a
8 distributor of them at the rate of 20% of the manufacturer's established list price to
9 distributors without diminution by volume or other discounts on domestic products.
10 On products imported from another country the rate of tax is 20% of the amount
11 obtained by adding the manufacturer's list price to the federal tax, duties and
12 transportation costs to the United States. The tax attaches at the time the tobacco
13 products are received by the distributor in this state. The tax shall be passed on to
14 the ultimate consumer of the tobacco products. All tobacco products received in this
15 state for sale or distribution within this state, except tobacco products actually sold
16 as provided in sub. (2), shall be subject to such tax.

17 *-0619/1.8* SECTION 2177. 139.76 (2) of the statutes is amended to read:

18 139.76 (2) Tobacco products sold to or by post exchanges of the U.S. armed
19 forces, to or by federally or state-operated veterans hospitals in this state, and
20 tobacco products sold to an interstate carrier of passengers for hire to be resold to
21 bona fide passengers actually being transported and tobacco products sold for
22 shipment outside this state in interstate commerce are not subject to the tax. ~~The~~
23 ~~tax imposed by sub. (1) and s. 139.78 shall not apply with respect to any tobacco~~
24 ~~products which under the constitution and laws of the United States may not be~~
25 ~~taxed by this state.~~

1 ***-0619/1.9*** **SECTION 2178.** 139.803 of the statutes is created to read:

2 **139.803 Refunds to Indian tribes.** The department may refund a portion
3 of the taxes collected under s. 139.76 (1) in respect to sales on reservations or trust
4 lands of an Indian tribe to the tribal council of the tribe having jurisdiction over the
5 reservation or trust land on which the sale is made only if all of the following
6 conditions are fulfilled:

7 (1) The tribal council has filed a claim for the refund with the department.

8 (2) The tribal council has approved the retailer.

9 (3) The land on which the sale occurred was designated a reservation or trust
10 land on or before January 1, 1983.

11 (4) The tobacco products were not delivered by the retailer to the buyer by
12 means of a common carrier, a contract carrier or the U.S. postal service.

13 (5) The retailer has not sold the tobacco products to another retailer or to a
14 subjobber.

15 (6) The department has entered into an agreement with the Indian tribe under
16 s. 139.805.

17 ***-0619/1.10*** **SECTION 2179.** 139.805 of the statutes is created to read:

18 **139.805 Agreements with Indian tribes.** The department may enter into
19 agreements with Indian tribes to provide for the refunding of the tobacco products
20 tax imposed under s. 139.76 (1). If the department enters into an agreement with
21 an Indian tribe, the agreement may provide for refunding 100% of that tax on tobacco
22 products sold on the tribal reservation to enrolled members of the tribe residing on
23 the tribal reservation and may provide for refunding not more than 70% of that tax
24 on tobacco products sold on the tribal reservation to persons who are not enrolled
25 members of the tribe residing on the tribal reservation.

1 ***-0619/1.11*** SECTION 2180. 139.82 (7) of the statutes is created to read:

2 139.82 (7) The department may inspect the business records of any retailer
3 doing business on a reservation or on an Indian tribe's trust land.

4 ***-0619/1.12*** SECTION 2181. 139.82 (8) of the statutes is created to read:

5 139.82 (8) Each distributor shall collect and remit the excise tax imposed by
6 s. 139.76 (1) on tobacco products not exempt from the tobacco products tax under s.
7 139.76 (2), with the reports required to be filed under this section.

8 ***-0619/1.13*** SECTION 2182. 139.85 (1) of the statutes is amended to read:

9 139.85 (1) The interest and penalties under s. 139.44 (2) to (7) and (9) to (12)
10 apply to this subchapter. In addition, a person who violates s. 139.82 (8) shall be fined
11 not less than \$1,000 nor more than \$5,000 or imprisoned for not less than 90 days
12 nor more than one year or both.

13 ***b0231/1.1*** SECTION 2216m. 145.245 (4) (a) of the statutes is amended to read:

14 145.245 (4) (a) The discharge of sewage into a surface water determined to be
15 outstanding resource water by the department of natural resources by rule or into
16 groundwater.

17 ***b0231/1.1*** SECTION 2217m. 145.245 (4) (c) of the statutes is amended to read:

18 145.245 (4) (c) The discharge of sewage to a drain tile or into zones of bedrock
19 or a surface water other than a surface water described in par. (a).

20 ***b0231/1.1*** SECTION 2219m. 145.245 (4m) (a) to (c) of the statutes are
21 amended to read:

22 145.245 (4m) (a) Category 1: failing private sewage systems described in sub.
23 (4) (a) to (e).

24 (b) Category 2: failing private sewage systems described in sub. (4) ~~(d)~~ (b) and
25 (c).

1 (c) Category 3: failing private sewage systems described in sub. (4) ~~(e)~~ (d).

2 ***b0231/1.1* SECTION 2219p.** 145.245 (4m) (d) of the statutes is created to read:

3 145.245 (4m) (d) Category 4: failing private sewage systems described in sub.
4 (4) (e).

5 ***-0521/2.1* SECTION 2220.** 145.245 (5) (a) 1. of the statutes is amended to read:

6 145.245 (5) (a) 1. A person is eligible for grant funds under this section if he or
7 she owns a principal residence which is served by a category 1 or 2 failing private
8 sewage system, if the ~~residence was constructed prior to and inhabited on private~~
9 sewage system was installed before July 1, 1978, if the family income of the person
10 does not exceed the income limitations under par. (c), if the amount of the grant
11 determined under sub. (7) is at least \$100, if the residence is not located in an area
12 served by a sewer and if determination of failure is made prior to the rehabilitation
13 or replacement of the failing private sewage system.

14 ***b0231/1.2* SECTION 2221m.** 145.245 (5) (a) 1. of the statutes, as affected by
15 1999 Wisconsin Act (this act), is amended to read:

16 145.245 (5) (a) 1. A person is eligible for grant funds under this section if he or
17 she owns a principal residence which is served by a category 1 ~~or 2~~ or 3 failing private
18 sewage system, if the sewage system was installed before July 1, 1978, if the family
19 income of the person does not exceed the income limitations under par. (c), if the
20 amount of the grant determined under sub. (7) is at least \$100, if the residence is not
21 located in an area served by a sewer and if determination of failure is made prior to
22 the rehabilitation or replacement of the failing private sewage system.

23 ***-0521/2.2* SECTION 2222.** 145.245 (5) (a) 2. of the statutes is amended to read:

24 145.245 (5) (a) 2. A business is eligible for grant funds under this section if it
25 owns a small commercial establishment which is served by a category 1 or 2 failing

1 private sewage system, if the ~~small commercial establishment was constructed prior~~
2 ~~to private sewage system was installed before~~ July 1, 1978, if the gross revenue of
3 the business does not exceed the limitation under par. (d), if the small commercial
4 establishment is not located in an area served by a sewer and if a determination of
5 failure is made prior to the rehabilitation or replacement of the private sewage
6 system.

7 ***b0231/1.3* SECTION 2223m.** 145.245 (5) (a) 2. of the statutes, as affected by
8 1999 Wisconsin Act (this act), is amended to read:

9 145.245 (5) (a) 2. A business is eligible for grant funds under this section if it
10 owns a small commercial establishment which is served by a category 1 ~~or~~ 2 or 3
11 failing private sewage system, if the private sewage system was installed before July
12 1, 1978, if the gross revenue of the business does not exceed the limitation under par.
13 (d), if the small commercial establishment is not located in an area served by a sewer
14 and if a determination of failure is made prior to the rehabilitation or replacement
15 of the private sewage system.

16 ***b0231/1.3* SECTION 2224m.** 145.245 (5) (a) 3. of the statutes is amended to
17 read:

18 145.245 (5) (a) 3. A person who owns a principal residence or small commercial
19 establishment which is served by a category 1 ~~or~~ 2 or 3 failing private sewage system
20 may submit an application for grant funds during the 3-year period after the
21 determination of failure is made. Grant funds may be awarded after work is
22 completed if rehabilitation or replacement of the system meets all requirements of
23 this section and rules promulgated under this section.

24 ***-0519/1.1* SECTION 2225.** 145.245 (5) (c) 2. of the statutes is amended to read:

1 145.245 (5) (c) 2. Except as provided under subd. 4., annual family income shall
2 be based upon the federal adjusted gross income of the owner and the owner's spouse,
3 if any, as computed ~~for Wisconsin income tax purposes~~ for the taxable year prior to
4 the year in which the determination of failure is made. ~~The county median income~~
5 ~~shall be determined based upon the most recent statistics published by the federal~~
6 ~~department of housing and urban development for the year prior to the year in which~~
7 ~~the determination of failure is made.~~

8 ***-0519/1.2*** SECTION 2226. 145.245 (5) (c) 3. of the statutes is amended to read:

9 145.245 (5) (c) 3. In order to be eligible for grant funds under this section, a
10 person shall submit a copy of the designated federal income tax returns ~~for the~~
11 ~~taxable year prior to the year in which the determination of failure is upon which the~~
12 determination of federal adjusted gross income under subd. 2. was made together
13 with any application required by the governmental unit. ~~For taxable year 1985 and~~
14 ~~earlier, the person shall submit a copy of his or her individual or combined Wisconsin~~
15 ~~income tax return. For taxable year 1986 and thereafter, the person shall submit a~~
16 ~~copy of his or her joint Wisconsin income tax return or, if filing separately, his or her~~
17 ~~separate Wisconsin income tax return and the separate Wisconsin income tax return~~
18 ~~of his or her spouse, if any.~~

19 ***-0519/1.3*** SECTION 2227. 145.245 (5) (c) 4. of the statutes is amended to read:

20 145.245 (5) (c) 4. A governmental unit may disregard the Wisconsin federal
21 ~~income tax return for the taxable year prior to the year in which the determination~~
22 ~~of failure is made that is submitted under subd. 3. and may determine annual family~~
23 ~~income based upon satisfactory evidence of federal adjusted gross income or~~
24 ~~projected taxable federal adjusted gross income of the owner and the owner's spouse~~
25 ~~in the current year. The department shall promulgate rules establishing criteria for~~

1 determining what constitutes satisfactory evidence of federal adjusted gross income
2 or projected federal adjusted gross income in a current year.

3 ***b0231/1.4* SECTION 2228m.** 145.245 (5m) (a) of the statutes is amended to
4 read:

5 145.245 (5m) (a) The department or a governmental unit shall deny a grant
6 application under this section if the applicant or a person who would be directly
7 benefited by the grant intentionally caused the conditions which resulted in a
8 category 1 ~~or~~ 2 or 3 failing private sewage system. The department or governmental
9 unit shall notify the applicant in writing of a denial, including the reason for the
10 denial.

11 ***-0589/2.19* SECTION 2229.** 145.245 (5m) (b) of the statutes is amended to
12 read:

13 145.245 (5m) (b) The department shall notify a governmental unit if it receives
14 ~~a certification under s. 49.855 (7) that an individual is delinquent in child support~~
15 ~~or maintenance payments or owes past support, medical expenses or birth expenses~~
16 an individual's name appears on the statewide support lien docket under s. 49.854
17 (2)(b). The department or a governmental unit shall deny an application under this
18 section if the ~~department receives a certification under s. 49.855 (7) that~~ name of the
19 applicant or an individual who would be directly benefited by the grant is delinquent
20 in child support or maintenance payments or owes past support, medical expenses
21 or birth expenses appears on the statewide support lien docket under s. 49.854 (2)
22 (b), unless the applicant or individual who would be benefited by the grant provides
23 to the department or governmental unit a payment agreement that has been
24 approved by the county child support agency under s. 59.53 (5) and that is consistent
25 with rules promulgated under s. 49.858 (2) (a).

1 ***b0231/1.5* SECTION 2231m.** 145.245 (7) (d) of the statutes is amended to read:

2 145.245 (7) (d) Except as provided in par. (e), if the income of a person who owns
3 a principal residence that is served by a category 1 ~~or~~ 2 or 3 failing private sewage
4 system is greater than \$32,000, the amount of the grant under this section is limited
5 to the amount determined under par. (c) less 30% of the amount by which the person's
6 income exceeds \$32,000.

7 ***b0231/1.5* SECTION 2236r.** 145.245 (11m) (am) of the statutes is created to
8 read:

9 145.245 (11m) (am) Except as provided in par. (d), if funds are sufficient to fully
10 fund all category 1 and 2 failing private sewage systems but not all category 3 failing
11 private sewage systems, the department shall fully fund all category 1 and 2 systems
12 and prorate the funds for category 3 systems on a proportional basis.

13 ***b0231/1.5* SECTION 2237g.** 145.245 (11m) (b) of the statutes is amended to
14 read:

15 145.245 (11m) (b) Except as provided in par. (d), if funds are sufficient to fully
16 fund all category 1 but not all category 2 failing private sewage systems, the
17 department shall fully fund all category 1 systems ~~and~~, prorate the funds for category
18 2 systems on a proportional basis and deny the grant applications for all category 3
19 systems.

20 ***b0231/1.5* SECTION 2237i.** 145.245 (11m) (c) of the statutes is amended to
21 read:

22 145.245 (11m) (c) Except as provided in par. (d), if funds are not sufficient to
23 fully fund all category 1 failing private sewage systems, the department shall fund
24 the category 1 systems on a proportional basis and deny the grant applications for
25 all category 2 and 3 systems.

1 ***-1856/2.3* SECTION 2238.** 145.245 (12m) of the statutes is created to read:

2 145.245 (12m) LOANS TO GOVERNMENTAL UNITS. (a) A governmental unit to
3 which the department allocates funds under sub. (11) for a fiscal year may apply to
4 the department for a loan under this subsection if the department prorates funds
5 under sub. (11m) for that fiscal year. A governmental unit may only use a loan under
6 this subsection to increase the amounts of grants to persons eligible under sub. (5)
7 above the amounts that would be provided without a loan under this subsection or
8 to provide grants to persons eligible under sub. (5) who would otherwise not receive
9 grants, because of the operation of sub. (11m) (c), but the total amount provided to
10 a person under this section may not exceed the amount authorized under sub (7).

11 (b) A loan under this subsection bears no interest. A loan under this subsection
12 may not exceed the difference between the amount of the grant that the
13 governmental unit would have received if the department had not prorated grants
14 under sub. (11) and the amount of the grant that the governmental unit did receive.
15 If the amount available for loans under s. 20.320 (3) (q) in a fiscal year is not sufficient
16 to provide loans to all eligible governmental units applying for loans, the department
17 shall allocate the available funds in the same manner as in sub. (11) (c).

18 (c) A loan approved under this subsection shall be for no longer than 20 years,
19 as determined by the department of administration, and be fully amortized not later
20 than 20 years after the original date of the note.

21 (d) As a condition of receiving a loan under this subsection an applicant shall
22 do all of the following:

23 1. Pledge the security, if any, required by the department of administration
24 under this subsection.

1 2. Demonstrate to the satisfaction of the department of administration the
2 financial capacity to assure sufficient revenues to repay the loan.

3 (e) The department of commerce and the department of administration may
4 enter into a financial assistance agreement with a governmental unit that applies
5 for a loan under this subsection and meets the eligibility requirements for a loan,
6 including the requirements under par. (d).

7 (f) The department of administration, in consultation with the department of
8 commerce, may establish those terms and conditions of a financial assistance
9 agreement that relate to its financial management, including what type of municipal
10 obligation is required for the repayment of the financial assistance. In setting the
11 terms and conditions, the department of administration may consider factors that
12 the department of administration finds are relevant, including the type of obligation
13 evidencing the loan, the pledge of security for the obligation and the applicant's
14 creditworthiness.

15 (g) The department of administration shall make and disburse a loan to an
16 applicant that has entered into a financial assistance agreement under par. (e). The
17 department of administration, in consultation with the department of commerce,
18 shall establish procedures for disbursing loans.

19 (h) If a governmental unit fails to make a principal repayment after its due
20 date, the department of administration shall place on file a certified statement of all
21 amounts due under this subsection. After consulting the department of commerce,
22 the department of administration may collect all amounts due by deducting those
23 amounts from any state payments due the governmental unit or may add a special
24 charge to the amount of taxes apportioned to and levied upon the county under s.
25 70.60. If the department of administration collects amounts due, it shall remit those

1 amounts to the fund to which they are due and notify the department of commerce
2 of that action.

3 ***b0411/5.12* SECTION 2240r.** 146.185 of the statutes is created to read:

4 **146.185 Minority health. (1)** In this section:

5 (a) “African American” means a person whose ancestors originated in any of the
6 black racial groups of Africa.

7 (b) “American Indian” means a person who is enrolled as a member of a
8 federally recognized American Indian tribe or band or who possesses documentation
9 of at least one-fourth American Indian ancestry or documentation of tribal
10 recognition as an American Indian.

11 (c) “Asian” means a person whose ancestors originated in Asia south and
12 southeast of the Himalayas and west of Wallace’s Line in the Malay Archipelago.

13 (d) “Economically disadvantaged” means having an income that is at or below
14 125% of the poverty line.

15 (e) “Hispanic” means a person of any race whose ancestors originated in
16 Mexico, Puerto Rico, Cuba, Central America or South America or whose culture or
17 origin is Spanish.

18 (f) “Minority group member” means any of the following:

19 1. An African American.

20 2. An American Indian.

21 3. A Hispanic.

22 4. An Asian.

23 (g) “Nonprofit corporation” means a nonstock corporation organized under ch.
24 181 that is a nonprofit corporation, as defined in s. 181.0103 (17).

1 (h) "Poverty line" means the nonfarm federal poverty line for the continental
2 United States, as defined by the federal department of labor under 42 USC 9902 (2).

3 (i) "State agency" has the meaning given in s. 16.70 (1).

4 (2) The department shall do all of the following:

5 (a) Identify the barriers to health care that prevent economically
6 disadvantaged minority group members in this state from participating fully and
7 equally in all aspects of life.

8 (b) Conduct statewide hearings on issues of concern to the health interests of
9 economically disadvantaged minority group members.

10 (c) Review, monitor and advise all state agencies with respect to the impact on
11 the health of economically disadvantaged minority group members of current and
12 emerging state policies, procedures, practices, statutes and rules.

13 (d) Work closely with all state agencies, including the board of regents of the
14 University of Wisconsin System and the technical college system board, with the
15 University of Wisconsin Hospitals and Clinics Authority, with the private sector and
16 with groups concerned with issues of the health of economically disadvantaged
17 minority group members to develop long-term solutions to health problems of
18 minority group members.

19 (e) Disseminate information on the status of the health of economically
20 disadvantaged minority group members in this state.

21 (f) Encourage economically disadvantaged minority group members who are
22 students to enter career health care professions, by developing materials that are
23 culturally sensitive and appropriate and that promote health care professions as
24 careers, for use by the University of Wisconsin System, the technical college system
25 and the Medical College of Wisconsin in recruiting the students.

1 (g) Submit a biennial report on the activities of the department under this
2 section that includes recommendations on program policies, procedures, practices
3 and services affecting the health status of economically disadvantaged minority
4 group members, to the appropriate standing committees under s. 13.172 (3) and to
5 the governor.

6 (3) From the appropriation under s. 20.435 (5) (fh), the department shall award
7 grants for activities to improve the health status of economically disadvantaged
8 minority group members. A person may apply, in the manner specified by the
9 department, for a grant of up to \$50,000 in each fiscal year to conduct these activities.
10 A grant awarded under this subsection may not exceed 50% of the cost of the
11 activities. An applicant's required contribution for a grant may consist of funding or
12 an in-kind contribution.

13 (4) From the appropriation under s. 20.435 (5) (fh), the department shall award
14 a grant of up to \$100,000 in each fiscal year to a private nonprofit corporation that
15 applies, in the manner specified by the department, to conduct a public information
16 campaign on minority health.

17 *-1058/1.3* SECTION 2241. 146.19 (2) (intro.) of the statutes is amended to
18 read:

19 146.19 (2) COOPERATIVE AMERICAN INDIAN HEALTH PROJECT GRANTS. (intro.) From
20 the appropriation under s. 20.435 (5) (~~ek~~) (ke), the department shall award grants
21 for cooperative American Indian health projects in order to promote cooperation
22 among tribes, tribal agencies, inter-tribal organizations and other agencies and
23 organizations in addressing specific problem areas in the field of American Indian
24 health. A tribe, tribal agency or inter-tribal organization may apply, in the manner

1 specified by the department, for a grant of up to \$10,000 to conduct a cooperative
2 American Indian health project, which meets all of the following requirements:

3 ***b0522/3.3* SECTION 2241c.** 146.19 (2m) of the statutes is created to read:

4 146.19 (2m) GRANTS TO TRIBAL HEALTH CENTERS. Subject to 1999 Wisconsin Act
5 (this act), section 9123 (6tu), from the appropriation under s. 20.435 (5) (ke), the
6 department shall award grants for the provision or purchase of health care services
7 for tribal members and their families to tribal health care entities that provide
8 primary health care, health education and social services to tribal members and
9 their families and to tribal employees. The department shall establish by rule criteria
10 for distributing grants to the health care entities. In developing the criteria, the
11 department shall consider each tribe's financial need, resources available to each
12 tribe and other demographic health status indicators.

13 ***-0269/3.4* SECTION 2251.** 146.56 (1) of the statutes is amended to read:

14 146.56 (1) Not later than July 1, ~~2001~~ 2002, the department shall develop and
15 implement a statewide trauma care system. The department shall seek the advice
16 of the statewide trauma advisory council under s. 15.197 (25) in developing and
17 implementing the system.

18 ***b0234/1.1* SECTION 2251d.** 146.57 (title) of the statutes is amended to read:

19 **146.57 (title) Statewide poison control program system.**

20 ***b0234/1.1* SECTION 2251e.** 146.57 (1m) of the statutes is created to read:

21 146.57 (1m) DEFINITIONS. In this section:

22 (a) "Appropriate health-oriented background" means one of the following:

23 1. Licensure as an emergency medical technician — basic, emergency medical
24 technician — intermediate or emergency medical technician — paramedic under s.
25 146.50 (5) (a).

1 2. Licensure as a licensed practical nurse under s. 441.10 (3).

2 3. Completion of a training program directed by a physician specializing in
3 toxicology and, as determined by the medical director of a poison control center,
4 background sufficient to understand and interpret standard poison information
5 resources and to transmit that information understandably to both health
6 professionals and the public under the direct supervision of a staff member specified
7 under sub. (3m) (b) or the medical director.

8 (b) “On-line staff member” means a member of the staff of a poison control
9 center who personally responds to telephone inquiries received by the poison control
10 center.

11 (c) “Pharmacist” has the meaning given in s. 450.01 (15).

12 (d) “Physician” has the meaning given in s. 448.01 (5).

13 (e) “Poison control services” means poison prevention education, and rapid and
14 accurate poison interpretation, poison intervention and management information.

15 (f) “Registered nurse” means a nurse who is licensed under s. 441.06.

16 (g) “School of pharmacy” means a school of pharmacy that is accredited by the
17 American Council on Pharmaceutical Education.

18 (h) “Triage” means assign priority order on the basis of where resources can
19 best be used or are most needed.

20 ***b0234/1.1* SECTION 2251f.** 146.57 (3) (a) of the statutes is amended to read:

21 146.57 (3) (a) The department shall implement a statewide poison control
22 program system, which shall provide poison control services that are available
23 statewide, on a 24-hour per day and 365-day per year basis and shall provide poison
24 information and education to health care professionals and the public. From the
25 appropriation under s. 20.435 (5) (ds), the department shall, if the requirement

1 under par. (b) is met, distribute total funding of not more than \$375,000 in each fiscal
2 year to supplement the operation of the ~~program~~ system and to provide for the
3 statewide collection and reporting of poison control data. The department may, but
4 need not, distribute all of the funds in each fiscal year to a single poison control
5 center.

6 ***b0234/1.1* SECTION 2251g.** 146.57 (3m) of the statutes is created to read:

7 146.57 (3m) REQUIREMENTS OF POISON CONTROL CENTERS. (a) A poison control
8 center shall maintain telephone services capable of providing rapid, accurate and
9 complete poison information that is accessible throughout the state and that is free
10 to users through a statewide toll-free hotline.

11 (b) An on-line staff member who interprets poison exposure data and provides
12 poison intervention and management information shall be one of the following:

- 13 1. A registered nurse.
- 14 2. A pharmacist.
- 15 3. A physician.
- 16 4. A person who is certified by or eligible for certification by the American
17 Association of Poison Control Centers as a specialist in poison information.
- 18 5. A school of pharmacy graduate who is in residency training.
- 19 6. A school of pharmacy enrollee who has completed the 2nd professional
20 practice year.
- 21 7. A person who was employed as an on-line staff member on May 1, 1994, who
22 has worked in that capacity at the poison control center for at least 3 years and who
23 annually receives at least 16 documented hours of continuing education in
24 interpreting poison exposure data and providing poison intervention and
25 management information.

1 (c) An on-line staff member who is designated as a poison information provider
2 may, if he or she annually receives at least 16 documented hours of job-relevant
3 continuing education and has an appropriate health-oriented background, provide
4 poison information to manage nontoxic exposures and routine follow-up.

5 (d) An on-line staff member who is designated as a poison information provider
6 shall triage incoming telephone calls concerning toxic exposures and, for health care
7 professionals, concerning drug interaction interpretations, and refer such calls to an
8 on-duty staff member under par. (b).

9 ***-0028/7.67* SECTION 2254.** 146.93 (1) (a) of the statutes is amended to read:

10 146.93 (1) (a) From the appropriation under s. 20.435 ~~(1)~~ (4) (gp), the
11 department shall maintain a program for the provision of primary health care
12 services based on the primary health care program in existence on June 30, 1987.
13 The department may promulgate rules necessary to implement the program.

14 ***-0028/7.68* SECTION 2255.** 146.99 of the statutes is amended to read:

15 **146.99 Assessments.** The department shall, within 90 days after the
16 commencement of each fiscal year, estimate the total amount of expenditures and the
17 department shall assess the estimated total amount under s. 20.435 ~~(1)~~ (4) (gp) to
18 hospitals, as defined in s. 50.33 (2), in proportion to each hospital's respective gross
19 private-pay patient revenues during the hospital's most recently concluded entire
20 fiscal year. Each hospital shall pay its assessment on or before December 1 for the
21 fiscal year. All payments of assessments shall be deposited in the appropriation
22 under s. 20.435 ~~(1)~~ (4) (gp).

23 ***b0577/5.7* SECTION 2255m.** 149.10 (3e) of the statutes is created to read:

24 149.10 (3e) "Fund" means the health insurance risk-sharing plan fund.

1 ***-0412/2.1*** **SECTION 2256.** 149.12 (2) (d) of the statutes is renumbered 149.12
2 (2) (d) 1. and amended to read:

3 149.12 (2) (d) 1. ~~Except for a person who is an eligible individual as provided~~
4 in subd. 2., no person who is 65 years of age or older is eligible for coverage under the
5 plan.

6 ***-0412/2.2*** **SECTION 2257.** 149.12 (2) (d) 2. of the statutes is created to read:
7 149.12 (2) (d) 2. Subdivision 1. does not apply to any of the following:

8 a. A person who is an eligible individual.

9 b. A person who has coverage under the plan on the date on which he or she
10 attains the age of 65 years.

11 ***-0412/2.3*** **SECTION 2258.** 149.12 (3) (b) of the statutes is amended to read:

12 149.12 (3) (b) Persons for whom deductible or coinsurance amounts are paid
13 or reimbursed under ch. 47 for vocational rehabilitation, under s. 49.68 for renal
14 disease, under s. 49.685 (8) for hemophilia, under s. 49.683 for cystic fibrosis or,
15 under s. 253.05 for maternal and child health services or under s. 49.686 for the cost
16 of drugs for the treatment of HIV infection or AIDS are not ineligible for coverage
17 under the plan by reason of such payments or reimbursements.

18 ***b0577/5.8*** **SECTION 2258d.** 149.125 of the statutes is repealed.

19 ***b0577/5.8*** **SECTION 2258f.** 149.14 (2) (a) of the statutes is amended to read:

20 149.14 (2) (a) The plan shall provide every eligible person who is not eligible
21 for medicare with major medical expense coverage. Major medical expense coverage
22 offered under the plan under this section shall pay an eligible person's covered
23 expenses, subject to sub. (3) and deductible, copayment and coinsurance payments
24 authorized under sub. (5), up to a lifetime limit of \$1,000,000 per covered individual.

1 The maximum limit under this paragraph shall not be altered by the board, and no
2 actuarially equivalent benefit may be substituted by the board.

3 ***-0412/2.4* SECTION 2259.** 149.14 (3) (intro.) of the statutes is amended to
4 read:

5 149.14 (3) COVERED EXPENSES. (intro.) Except as provided in sub. (4), except
6 as restricted by cost containment provisions under s. 149.17 (4) and except as
7 reduced by the board under s. 149.15 (3) (e) or by the department under s. ss. 149.143
8 or and 149.144, covered expenses for the coverage under this section shall be the
9 usual and customary charges payment rates established by the department under
10 s. 149.142 for the services provided by persons licensed under ch. 446 and certified
11 under s. 49.45 (2) (a) 11. Except as provided in sub. (4), except as restricted by cost
12 containment provisions under s. 149.17 (4) and except as reduced by the board under
13 s. 149.15 (3) (e) or by the department under s. ss. 149.143 or and 149.144, covered
14 expenses for the coverage under this section shall also be the usual and customary
15 charges payment rates established by the department under s. 149.142 for the
16 following services and articles if the service or article is prescribed by a physician
17 who is licensed under ch. 448 or in another state and who is certified under s. 49.45
18 (2) (a) 11. and if the service or article is provided by a provider certified under s. 49.45
19 (2) (a) 11.:

20 ***b0577/5.9* SECTION 2259f.** 149.14 (3) (d) of the statutes is amended to read:

21 149.14 (3) (d) Drugs requiring a physician's prescription, subject to sub. (4c).

22 ***b0577/5.9* SECTION 2259r.** 149.14 (4) (d) of the statutes is amended to read:

23 149.14 (4) (d) That part of any charge for services or articles rendered or
24 prescribed by a physician, dentist or other health care personnel which that exceeds
25 the prevailing charge in the locality where the service is provided payment rate

1 established by the department under s. 149.142 and reduced under ss. 149.143 and
2 149.144 or any charge not medically necessary.

3 ***-0412/2.5* SECTION 2260.** 149.14 (4) (g) of the statutes is amended to read:
4 149.14 (4) (g) Dental care except as provided in sub. (3) (m) and (q).

5 ***b0577/5.10* SECTION 2260c.** 149.14 (4) (n) of the statutes is created to read:
6 149.14 (4) (n) Services or drugs for the treatment of infertility, impotence or
7 sterility.

8 ***b0577/5.10* SECTION 2260d.** 149.14 (4c) of the statutes is created to read:
9 149.14 (4c) COVERAGE OF PRESCRIPTION DRUGS. (a) The department may require
10 a pharmacist or pharmacy that provides a prescription drug to an eligible person to
11 submit a payment claim directly to the plan administrator.

12 (b) The department may limit coverage of prescription drugs under sub. (3) (d)
13 to those prescription drugs for which payment claims are submitted by pharmacists
14 or pharmacies directly to the plan administrator.

15 ***b0577/5.10* SECTION 2260h.** 149.14 (4m) of the statutes is amended to read:
16 149.14 (4m) PAYMENT IS PAYMENT IN FULL. Except for copayments, coinsurance
17 or deductibles required or authorized under the plan, a provider of a covered service
18 or article shall accept as payment in full for the covered service or article the payment
19 rate determined under ss. 149.142, 149.143, and 149.144 ~~and 149.15 (3) (e)~~ and may
20 not bill an eligible person who receives the service or article for any amount by which
21 the charge for the service or article is reduced under s. 149.142, 149.143, or 149.144
22 ~~or 149.15 (3) (e)~~.

23 ***b0577/5.10* SECTION 2260m.** 149.14 (5) (title) of the statutes is amended to
24 read:

25 149.14 (5) (title) DEDUCTIBLES, COPAYMENTS AND COINSURANCE.

1 ***b0577/5.10* SECTION 2260p.** 149.14 (5) (e) of the statutes is created to read:
2 149.14 (5) (e) Subject to sub. (8) (b), the department may, by rule under s. 149.17
3 (4), establish copayments for prescription drug coverage under sub. (3) (d). Any
4 copayment amounts or rates established are subject to the approval of the board.
5 Copayments paid by an eligible person under this paragraph shall count toward the
6 deductible and covered costs not paid by the plan under pars. (a) to (c).

7 ***-0412/2.6* SECTION 2261.** 149.14 (6) (title) of the statutes is created to read:
8 149.14 (6) (title) PREEXISTING CONDITIONS.

9 ***b0577/5.11* SECTION 2261f.** 149.14 (8) of the statutes is created to read:
10 149.14 (8) APPLICABILITY OF MEDICAL ASSISTANCE PROVISIONS. (a) Except as
11 provided in par. (b), the department may, by rule under s. 149.17 (4), apply to the plan
12 the same utilization and cost control procedures that apply under rules promulgated
13 by the department to medical assistance under subch. IV of ch. 49.

14 (b) The department may not apply to eligible persons for covered services or
15 articles the same copayments that apply to recipients of medical assistance under
16 subch. IV of ch. 49 for services or articles covered under that program.

17 ***b0577/5.11* SECTION 2261j.** 149.142 of the statutes is created to read:

18 **149.142 Provider payment rates.** (1) (a) Except as provided in par. (b), the
19 department shall establish payment rates for covered expenses that consist of the
20 allowable charges paid under s. 49.46 (2) for the services and articles provided plus
21 an enhancement determined by the department. The rates shall be based on the
22 allowable charges paid under s. 49.46 (2), projected plan costs and trend factors.
23 Using the same methodology that applies to medical assistance under subch. IV of
24 ch. 49, the department shall establish hospital outpatient per visit reimbursement

1 rates and hospital inpatient reimbursement rates that are specific to diagnostically
2 related groups of eligible persons.

3 (b) The payment rate for a prescription drug shall be the allowable charge paid
4 under s. 49.46 (2) (b) 6. h. for the prescription drug.

5 (2) The rates established under this section are subject to adjustment under
6 ss. 149.143 and 149.144.

7 ***b0577/5.11* SECTION 2261m.** 149.143 (1) (intro.) of the statutes is amended
8 to read:

9 149.143 (1) (intro.) The department shall pay or recover the operating costs of
10 the plan from the appropriation under s. 20.435 (4) (v) and administrative costs of
11 the plan from the appropriation under s. 20.435 (4) (u). For purposes of determining
12 premiums, insurer assessments and provider payment rate adjustments, the
13 department shall apportion and prioritize responsibility for payment or recovery of
14 plan costs from among the moneys constituting the fund as follows:

15 ***b0577/5.11* SECTION 2262b.** 149.143 (1) (a) of the statutes is amended to
16 read:

17 149.143 (1) (a) First from the moneys transferred to the fund from the
18 appropriation account under s. 20.435 (~~5~~) (4) (af).

19 ***b0577/5.11* SECTION 2263b.** 149.143 (1) (b) 1. a. of the statutes is amended
20 to read:

21 149.143 (1) (b) 1. a. First, from premiums from eligible persons with coverage
22 under s. 149.14 set at 150% of the rate that a standard risk would be charged under
23 an individual policy providing substantially the same coverage and deductibles as
24 are provided under the plan, including amounts received for premium and deductible
25 subsidies under s. 149.144 and under the transfer to the fund from the appropriation

1 account under ~~ss. s. 20.435 (5) (4) (ah) and 149.144~~, and from premiums collected
2 from eligible persons with coverage under s. 149.146 set in accordance with s.
3 149.146 (2) (b).

4 *b0577/5.11* SECTION 2263bm. 149.143 (1) (b) 1. b. of the statutes is amended
5 to read:

6 149.143 (1) (b) 1. b. Second, from ~~the appropriation under s. 20.435 (5) (gh)~~
7 moneys specified under sub. (2m), to the extent that the amounts under subd. 1. a.
8 are insufficient to pay 60% of plan costs.

9 *b0577/5.11* SECTION 2263bn. 149.143 (1) (b) 1. c. of the statutes is amended
10 to read:

11 149.143 (1) (b) 1. c. Third, by increasing premiums from eligible persons with
12 coverage under s. 149.14 to more than 150% but not more than 200% of the rate that
13 a standard risk would be charged under an individual policy providing substantially
14 the same coverage and deductibles as are provided under the plan, including
15 amounts received for premium and deductible subsidies under s. 149.144 and under
16 the transfer to the fund from the appropriation account under ~~ss. s. 20.435 (5) (4) (ah)~~
17 ~~and 149.144~~, and by increasing premiums from eligible persons with coverage under
18 s. 149.146 in accordance with s. 149.146 (2) (b), to the extent that the amounts under
19 subd. 1. a. and b. are insufficient to pay 60% of plan costs.

20 *b0577/5.11* SECTION 2263bp. 149.143 (1) (b) 1. d. of the statutes is amended
21 to read:

22 149.143 (1) (b) 1. d. Fourth, notwithstanding subd. 2., by increasing insurer
23 assessments, excluding assessments under s. 149.144, and adjusting provider
24 payment rates, excluding adjustments to those rates under ~~ss. s. 149.144 and 149.15~~

1 (3)(e), in equal proportions and to the extent that the amounts under subd. 1. a. to
2 c. are insufficient to pay 60% of plan costs.

3 *b0577/5.11* SECTION 2264e. 149.143 (1) (b) 2. b. of the statutes is amended
4 to read:

5 149.143 (1) (b) 2. b. Fifty percent from adjustments to provider payment rates,
6 excluding adjustments to those rates under ss. s. 149.144 and 149.15 (3) (e).

7 *b0577/5.11* SECTION 2265b. 149.143 (2) (a) 1. a. of the statutes is amended
8 to read:

9 149.143 (2) (a) 1. a. Estimate the amount of enrollee premiums that would be
10 received in the new plan year if the enrollee premiums were set at a level sufficient,
11 when including amounts received for premium and deductible subsidies under s.
12 149.144 and under the transfer to the fund from the appropriation account under ss.
13 s. 20.435 (5) (4) (ah) and 149.144 and from premiums collected from eligible persons
14 with coverage under s. 149.146 set in accordance with s. 149.146 (2) (b), to cover 60%
15 of the estimated plan costs for the new plan year, after deducting from the estimated
16 plan costs the amount available in for transfer to the fund from the appropriation
17 account under s. 20.435 (~~5~~) (4) (af) for that plan year.

18 *b0577/5.11* SECTION 2265bm. 149.143 (2) (a) 1. c. of the statutes is repealed.

19 *b0577/5.11* SECTION 2266g. 149.143 (2m) of the statutes is created to read:

20 149.143 (2m) (a) The department shall keep a separate accounting of the
21 difference between the following:

22 1. The amount of premiums received in a plan year from all eligible persons,
23 including amounts received for premium and deductible subsidies.

24 2. The amount of premiums, including amounts received for premium and
25 deductible subsidies, necessary to cover 60% of the plan costs for the plan year, after

1 deducting the amount transferred to the fund from the appropriation account under
2 s. 20.435 (4) (af).

3 (b) Any amount by which the amount under par. (a) 1. exceeds the amount
4 under par. (a) 2. may be used only as follows:

5 1. To reduce premiums in succeeding plan years as provided in sub. (1) (b) 1.
6 b. For eligible persons with coverage under s. 149.14, premiums may not be reduced
7 below 150% of the rate that a standard risk would be charged under an individual
8 policy providing substantially the same coverage and deductibles as are provided
9 under the plan.

10 2. For other needs of eligible persons, with the approval of the board.

11 ***b0577/5.11* SECTION 2267j.** 149.143 (3) (b) of the statutes is amended to read:

12 149.143 (3) (b) ~~If, after increasing the department increases~~ premium rates
13 and insurer assessments and ~~adjusting~~ adjusts the provider payment rate under par.
14 (a), ~~the department and~~ determines that there will still be a deficit and that premium
15 rates have been increased to the maximum extent allowable under par. (a), the
16 department ~~shall~~ may further adjust, in equal proportions, assessments set under
17 sub. (2) (a) 3. and the provider payment rate set under sub. (2) (a) 4., without regard
18 to sub. (1) (b) 2.

19 ***b0577/5.11* SECTION 2267m.** 149.143 (5) of the statutes is created to read:

20 149.143 (5) (a) Annually, no later than April 30, the department shall perform
21 a reconciliation with respect to plan costs, premiums, insurer assessments and
22 provider payment rate adjustments based on data from the previous calendar year.
23 On the basis of the reconciliation, the department shall make any necessary
24 adjustments in premiums, insurer assessments or provider payment rates for the

1 fiscal year beginning on the first July 1 after the reconciliation, as provided in sub.
2 (2) (b).

3 (b) Except as provided in sub. (3) and s. 149.144, the department shall adjust
4 the provider payment rates to meet the providers' specified portion of the plan costs
5 no more than once annually. The department may not determine the adjustment on
6 an individual provider basis or on the basis of provider type, but shall determine the
7 adjustment for all providers in the aggregate.

8 *b0577/5.11* SECTION 2267r. 149.144 of the statutes is amended to read:

9 **149.144 Adjustments to insurer assessments and provider payment**
10 **rates for premium and deductible reductions.** If the moneys transferred to the
11 fund under the appropriation under s. 20.435 (5) (4) (ah) are insufficient to reimburse
12 the plan for premium reductions under s. 149.165 and deductible reductions under
13 s. 149.14 (5) (a), or the department determines that the moneys transferred or to be
14 transferred to the fund under the appropriation under s. 20.435 (5) (4) (ah) will be
15 insufficient to reimburse the plan for premium reductions under s. 149.165 and
16 deductible reductions under s. 149.14 (5) (a), the department ~~shall~~ may, by rule,
17 adjust in equal proportions the amount of the assessment set under s. 149.143 (2) (a)
18 3. and the provider payment rate set under s. 149.143 (2) (a) 4., subject to s. 149.143
19 (1) (b) 1., sufficient to reimburse the plan for premium reductions under s. 149.165
20 and deductible reductions under s. 149.14 (5) (a). ~~The~~ If the department makes the
21 adjustment under this section, the department shall notify the commissioner so that
22 the commissioner may levy any increase in insurer assessments.

23 *b0577/5.11* SECTION 2268m. 149.145 of the statutes is amended to read:

24 **149.145 Program budget.** The department, in consultation with the board,
25 shall establish a program budget for each plan year. The program budget shall be

1 based on the provider payment rates specified in s. ~~149.15 (3) (e)~~ 149.142 and in the
2 most recent provider contracts that are in effect and on the funding sources specified
3 in s. 149.143 (1), including the methodologies specified in ss. 149.143, 149.144 and
4 149.146 for determining premium rates, insurer assessments and provider payment
5 rates. Except as otherwise provided in s. 149.143 (3) (a) and (b), from the program
6 budget the department shall derive the actual provider payment rate for a plan year
7 that reflects the providers' proportional share of the plan costs, consistent with ss.
8 149.143 and 149.144. The department may not implement a program budget
9 established under this section unless it is approved by the board.

10 *~~0412/2.7~~* **SECTION 2269.** 149.146 (1) (a) of the statutes is amended to read:

11 149.146 (1) (a) Beginning on January 1, 1998, in addition to the coverage
12 required under s. 149.14, the plan shall offer to all eligible persons who are not
13 eligible for medicare a choice of coverage, as described in section 2744 (a) (1) (C), P.L.
14 104-191. Any such choice of coverage shall be major medical expense coverage.

15 *~~0412/2.8~~* **SECTION 2270.** 149.146 (1) (b) 2. of the statutes is amended to read:

16 149.146 (1) (b) 2. An eligible person under par. (a) may elect once each year, at
17 the time and according to procedures established by the department, among the
18 coverages offered under this section and s. 149.14. If an eligible person elects new
19 coverage, any preexisting condition exclusion imposed under the new coverage is met
20 to the extent that the eligible person has been previously and continuously covered
21 under this chapter. No preexisting condition exclusion may be imposed on an eligible
22 person who elects new coverage if the person was an eligible individual when first
23 covered under this chapter and the person remained continuously covered under this
24 chapter up to the time of electing the new coverage.

25 *~~0412/2.9~~* **SECTION 2271.** 149.146 (2) (am) of the statutes is created to read:

1 149.146 (2) (am) 1. For all eligible persons with coverage under this section,
2 the deductible shall be \$2,500. Expenses used to satisfy the deductible during the
3 last 90 days of a calendar year shall also be applied to satisfy the deductible for the
4 following calendar year.

5 2. Except as provided in subd. 3., if the covered costs incurred by the eligible
6 person exceed the deductible for major medical expense coverage in a calendar year,
7 the plan shall pay at least 80% of any additional covered costs incurred by the person
8 during the calendar year.

9 3. If the aggregate of the covered costs not paid by the plan under subd. 2. and
10 the deductible exceeds \$3,500 for any eligible person during a calendar year or \$7,000
11 for all eligible persons in a family, the plan shall pay 100% of all covered costs
12 incurred by the eligible person during the calendar year after the payment ceilings
13 under this subdivision are exceeded.

14 4. Notwithstanding subds. 1. to 3., the department may establish different
15 deductible amounts, a different coinsurance percentage and different covered costs
16 and deductible aggregate amounts from those specified in subds. 1. to 3. in
17 accordance with cost containment provisions established by the department under
18 s. 149.17 (4).

19 ***b0577/5.12*** SECTION 2276m. [✓] 149.15 (3) (e) of the statutes is repealed.

20 ***b0577/5.12*** SECTION 2277c. [✓] 149.15 (3) (g) of the statutes is created to read:

21 149.15 (3) (g) Establish oversight committees to address various
22 administrative issues, such as financial management of the plan and plan
23 administrator performance standards. A representative of the department may not
24 be the chairperson of any committee established under this paragraph.

25 ***b0577/5.12*** SECTION 2277f. 149.16 (5) of the statutes is created to read:

1 149.16 (5) The department shall obtain the approval of the board before
2 implementing any contract with the plan administrator.

3 *b0577/5.12* SECTION 2278b. 149.165 (4) of the statutes is amended to read:

4 149.165 (4) The department shall reimburse the plan for premium reductions
5 under sub. (2) and deductible reductions under s. 149.14 (5) (a) with moneys
6 transferred to the fund from the appropriation account under s. 20.435 (5) (4) (ah).

7 *b0577/5.12* SECTION 2278c. 149.17 (2) of the statutes is amended to read:

8 149.17 (2) A schedule of premiums, deductibles, copayments and coinsurance
9 payments ~~which~~ that complies with all requirements of this chapter.

10 *b0577/5.12* SECTION 2278g. 149.17 (4) of the statutes is amended to read:

11 149.17 (4) Cost containment provisions established by the department by rule,
12 including managed care requirements. The department shall obtain the approval of
13 the board before promulgating a rule that establishes a cost containment provision
14 that would have an effect on an eligible person's access to health care services, such
15 as the creation of new prior authorization requirements.

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16 *b0493/1.1* SECTION 2277^g. 149.16 (4) of the statutes is created to read:

17 149.16 (4) The plan administrator shall account for costs related to the plan
18 separately from costs related to medical assistance under subch. IV of ch. 49.

19 *b0629/1.1* SECTION 2278r. 150.46 (3) of the statutes is created to read:

20 150.46 (3) This subchapter does not apply to the nursing care facility operated
21 by the department of veterans affairs under s. 45.385.

22 *-0028/7.77* SECTION 2280. 153.05 (6m) of the statutes is amended to read:

23 153.05 (6m) The department may contract with the group insurance board for
24 the provision of data collection and analysis services related to health maintenance
25 organizations and insurance companies that provide health insurance for state

1 employes. The department shall establish contract fees for the provision of the
2 services. All moneys collected under this subsection shall be credited to the
3 appropriation under s. 20.435 ~~(1)~~ (4) (hg).

4 ***b0233/1.1* SECTION 2280n.** 153.50 (5m) of the statutes is created to read:

5 153.50 **(5m)** EMPLOYERS NOT TO REQUEST PATIENT-IDENTIFIABLE DATA.

6 Notwithstanding subs. (4) and (5) no employer may request the release of or access
7 to patient-identifiable data of an employe of the employer.

8 ***-0028/7.78* SECTION 2281.** 153.60 (1) of the statutes is amended to read:

9 153.60 **(1)** The department shall, by the first October 1 after the
10 commencement of each fiscal year, estimate the total amount of expenditures under
11 this chapter for the department and the board for that fiscal year for data collection,
12 data base development and maintenance, generation of data files and standard
13 reports, orientation and training provided under s. 153.05 (9) and maintaining the
14 board. The department shall assess the estimated total amount for that fiscal year
15 less the estimated total amount to be received for purposes of administration of this
16 chapter under s. 20.435 ~~(1)~~ (4) (hi) during the fiscal year, the unencumbered balance
17 of the amount received for purposes of administration of this chapter under s. 20.435
18 ~~(1)~~ (4) (hi) from the prior fiscal year and the amount in the appropriation account
19 under s. 20.435 (1) (dg) for the fiscal year, to health care providers who are in a class
20 of health care providers from whom the department collects data under this chapter
21 in a manner specified by the department by rule. The department shall obtain
22 approval from the board for the amounts of assessments for health care providers
23 other than hospitals and ambulatory surgery centers. The department shall work
24 together with the department of regulation and licensing to develop a mechanism for
25 collecting assessments from health care providers other than hospitals and

1 ambulatory surgery centers. No health care provider that is not a facility may be
2 assessed under this subsection an amount that exceeds \$75 per fiscal year. Each
3 hospital shall pay the assessment on or before December 1. All payments of
4 assessments shall be deposited in the appropriation under s. 20.435 ~~(1)~~ (4) (hg).

5 ***-0028/7.79* SECTION 2282.** 153.60 (3) of the statutes is amended to read:

6 153.60 (3) The department shall, by the first October 1 after the
7 commencement of each fiscal year, estimate the total amount of expenditures
8 required for the collection, database development and maintenance and generation
9 of public data files and standard reports for health care plans that voluntarily agree
10 to supply health care data under s. 153.05 (6r). The department shall assess the
11 estimated total amount for that fiscal year to health care plans in a manner specified
12 by the department by rule and may enter into an agreement with the office of the
13 commissioner of insurance for collection of the assessments. Each health plan that
14 voluntarily agrees to supply this information shall pay the assessments on or before
15 December 1. All payments of assessments shall be deposited in the appropriation
16 under s. 20.435 ~~(1)~~ (4) (hg) and may be used solely for the purposes of s. 153.05 (6r).

17 ***-0028/7.80* SECTION 2283.** 153.65 of the statutes is amended to read:

18 **153.65 Provision of special information; user fees.** The department may,
19 but is not required to, provide, upon request from a person, a data compilation or a
20 special report based on the information collected by the department. The
21 department shall establish user fees for the provision of these compilations or
22 reports, payable by the requester, which shall be sufficient to fund the actual
23 necessary and direct cost of the compilation or report. All moneys collected under
24 this section shall be credited to the appropriation under s. 20.435 ~~(1)~~ (4) (hi).

25 ***b0614/1.1* SECTION 2283m.** 154.17 (1) of the statutes is amended to read:

1 154.17 (1) “Do-not-resuscitate bracelet” means a standardized identification
2 bracelet of ~~uniform size, color, and design, that meets the specifications established~~
3 under s. 154.27 (1), or that is approved by the department under s. 154.27 (2), that
4 bears the inscription “Do Not Resuscitate” and signifies that the wearer is a qualified
5 patient who has obtained a do-not-resuscitate order and that the order has not been
6 revoked.

7 ***b0614/1.1* SECTION 2283n.** 154.19 (2) (b) of the statutes is renumbered
8 154.19 (2) (b) (intro.) and amended to read:

9 154.19 (2) (b) (intro.) After providing the information under par. (a), the
10 attending physician, or the person directed by the attending physician, shall ~~affix~~
11 document in the patient’s medical record the medical condition that qualifies the
12 patient for the do-not-resuscitate order, shall make the order in writing and shall
13 do one of the following, as requested by the qualified patient:

14 1. Affix to the wrist of the patient a do-not-resuscitate bracelet and document
15 in the patient’s medical record the medical condition that qualifies the patient for the
16 do-not-resuscitate order that meets the specifications established under s. 154.27
17 (1).

18 ***b0614/1.1* SECTION 2283p.** 154.19 (2) (b) 2. of the statutes is created to read:

19 154.19 (2) (b) 2. Provide an order form from a commercial vendor approved by
20 the department under s. 154.27 (2) to permit the patient to order a
21 do-not-resuscitate bracelet from the commercial vendor.

22 ***b0614/1.1* SECTION 2283q.** 154.27 of the statutes is renumbered 154.27 (1)
23 and amended to read:

24 154.27 (1) The department shall establish by rule a uniform standard for the
25 size, color, and design of all do-not-resuscitate bracelets. ~~The~~ Except as provided in

1 sub. (2), the rules shall require that the do-not-resuscitate bracelets include the
2 inscription “Do Not Resuscitate”; the name, address, date of birth and gender of the
3 patient; and the name, business telephone number and signature of the attending
4 physician issuing the order.

5 ***b0614/1.1* SECTION 2283r.** 154.27 (2) of the statutes is created to read:

6 154.27 (2) The department may approve a do-not-resuscitate bracelet
7 developed and distributed by a commercial vendor if the bracelet contains an emblem
8 that displays an internationally recognized medical symbol on the front and the
9 words “Wisconsin Do-Not-Resuscitate-EMS” and the qualified patient’s first and
10 last name on the back. The department may not approve a do-not-resuscitate
11 bracelet developed and distributed by a commercial vendor if the vendor does not
12 require a doctor’s order for the bracelet prior to distributing it to a patient.

13 ***b0368/2.1* SECTION 2288b.** 165.755 (1)(a) of the statutes is amended to read:

14 165.755 (1) (a) Except as provided in par. (b), ~~beginning on October 14, 1997,~~
15 a court shall impose a crime laboratories and drug law enforcement assessment of
16 \$4- \$5 if the court imposes a sentence, places a person on probation or imposes a
17 forfeiture for a violation of state law or for a violation of a municipal or county
18 ordinance.

19 ***b0368/2.1* SECTION 2288f.** 165.76 (1) (a) of the statutes is amended to read:

20 165.76 (1) (a) Is in ~~prison or~~ a secured correctional facility, as defined in s.
21 938.02 (15m), or a secured child caring institution, as defined in s. 938.02 (15g) or on
22 probation, extended supervision, parole, supervision or aftercare supervision on or
23 after August 12, 1993, for any violation of s. 940.225 (1) or (2), 948.02 (1) or (2) or
24 948.025.

25 ***b0368/2.1* SECTION 2288h.** 165.76 (1) (ag) of the statutes is created to read:

1 165.76 (1) (ag) Is in prison on or after August 12, 1993, and before January 1,
2 2000, for any violation of s. 940.225 (1) or (2), 948.02 (1) or (2) or 948.025.

3 ***b0368/2.1* SECTION 2288i.** 165.76 (1) (ar) of the statutes is created to read:
4 165.76 (1) (ar) Is in prison on or after January 1, 2000, for a felony committed
5 in this state.

6 ***b0368/2.1* SECTION 2288L.** 165.76 (1) (e) of the statutes is amended to read:
7 165.76 (1) (e) Is released on parole or extended supervision or placed on
8 probation in another state before January 1, 2000, and is on parole, extended
9 supervision or probation in this state from another ~~the other~~ state under s. 304.13
10 or 304.135 on or after July 9, 1996, for a violation of the law of ~~another~~ the other state
11 that the department of corrections determines, under s. 304.137 (1), is comparable
12 to a violation of s. 940.225 (1) or (2), 948.02 (1) or (2) or 948.025.

13 ***b0368/2.1* SECTION 2288m.** 165.76 (1) (f) of the statutes is created to read:
14 165.76 (1) (f) Is released on parole or extended supervision or placed on
15 probation in another state on or after January 1, 2000, and is on parole, extended
16 supervision or probation in this state from the other state under s. 304.13 or 304.135
17 for a violation of the law of the other state that the department of corrections
18 determines, under s. 304.137 (2), would constitute a felony if committed by an adult
19 in this state.

20 ***-1265/7.22* SECTION 2290.** 165.85 (5m) of the statutes is repealed.

21 ***b0461/4.17* SECTION 2290v.** 165.87 (title) of the statutes is repealed.

22 ***-1265/7.23* SECTION 2291.** 165.87 (1) (title) of the statutes is repealed.

23 ***b0461/4.18* SECTION 2292m.** 165.87 (1) (a) of the statutes is renumbered
24 757.05 (2) (a) and amended to read:

1 757.05 (2) (a) Law enforcement training fund. Twenty-seven fifty-fifths of all
2 moneys collected from penalty assessments under ~~this section~~ sub. (1) shall be
3 credited to the appropriation account under s. 20.455 (2) (i) and utilized in
4 accordance with ss. 20.455 (2) and 165.85 (5) ~~and (5m)~~. The moneys credited to the
5 appropriation account under s. 20.455 (2) (i), except for the moneys transferred to s.
6 20.455 (2) (jb), constitute the law enforcement training fund.

7 *~~1265/7.25~~* SECTION 2293. 165.87 (1) (b) of the statutes is repealed.

8 *~~b0461/4.19~~* SECTION 2294m. 165.87 (1) (bn) of the statutes is renumbered
9 16.964 (4) and amended to read:

10 16.964 (4) ~~Five twenty-seconds of all moneys collected from penalty~~
11 ~~assessments under this section shall be credited to the appropriation account under~~
12 ~~and utilized in accordance with s. 20.505 (6) (g), except for moneys transferred to ss.~~
13 ~~20.410 (3) (kj) and 20.505 (6) (h).~~ In regard to any grant the office makes to any local
14 unit of government for which the state is providing matching funds from moneys
15 under ~~this paragraph~~ s. 20.505 (6) (kp), the local unit of government shall provide
16 matching funds equal to at least 10%.

17 *~~1554/6.7~~* SECTION 2295. 165.87 (1) (bp) of the statutes is repealed.

18 *~~1265/7.27~~* SECTION 2296. 165.87 (1) (br) of the statutes is repealed.

19 *~~1265/7.28~~* SECTION 2297. 165.87 (1) (c) of the statutes is repealed.

20 *~~1265/7.29~~* SECTION 2298. 165.87 (2) of the statutes is renumbered 757.05
21 (1).

22 *~~1554/6.8~~* SECTION 2299. 165.90 (4) (intro.) of the statutes is amended to
23 read:

24 165.90 (4) (intro.) If the department approves a plan, the department shall
25 certify the program as eligible to receive aid under s. 20.455 (2) ~~(d) and (hn)~~ (kt). Prior

1 to January 15, of the year for which funding is sought, the department shall
2 distribute from the appropriations under s. 20.455 (2) (d) and (hn) (kt) to each eligible
3 program the amount necessary to implement the plan, subject to the following
4 limitations:

5 ***-1554/6.9* SECTION 2300.** 165.90 (4) (a) of the statutes is amended to read:

6 165.90 (4) (a) A program may use funds received under s. 20.455 (2) ~~(d) or (hn)~~
7 (kt) only for law enforcement operations.

8 ***-1554/6.10* SECTION 2301.** 165.90 (4) (b) of the statutes is amended to read:

9 165.90 (4) (b) A program shall, prior to the receipt of funds under s. 20.455 (2)
10 ~~(d) or (hn)~~ (kt) for the 2nd and any subsequent year, submit a report to the
11 department regarding the performance of law enforcement activities on the
12 reservation in the previous fiscal year.

13 ***-1164/5.2* SECTION 2302.** 166.15 (1) (f) of the statutes is amended to read:

14 166.15 (1) (f) “Nuclear incident” means any sudden or nonsudden release of
15 ionizing radiation, as defined under s. 254.31 (3g), from radioactive waste being
16 stored or disposed of in a waste repository or transported. “Nuclear incident” does
17 not include any release of radiation from radioactive waste being transported under
18 routine operations.

19 ***b0254/3.1* SECTION 2302m.** 166.20 (5) (a) 3. of the statutes is amended to
20 read:

21 166.20 (5) (a) 3. All facilities in this state covered under 42 USC 11021 and all
22 public agencies and private agencies in this state at which a hazardous chemical is
23 present at or above an applicable threshold quantity shall comply with the reporting
24 requirements under 42 USC 11021 and 11022. The division shall implement

1 minimum threshold levels for reporting by retail gas stations that are identical to the
2 minimum threshold levels for reporting under 42 USC 11021 and 11022.

3 ***-1055/1.3* SECTION 2303.** 166.20 (7g) of the statutes is repealed.

4 ***b0216/1.2* SECTION 2303r.** 168.07 of the statutes is amended to read:

5 **168.07 Inspections; requirements.** (1) The inspector shall inspect each
6 sample of petroleum product and if the inspector finds that it meets the minimum
7 specifications prescribed by the department, the inspector shall issue an inspection
8 certificate, except that inspections for particular grade specifications shall be at the
9 discretion of the department. If an inspector believes that a product has been
10 misidentified, an inspection shall be performed. If the inspector finds that the
11 petroleum product does not meet the minimum specifications prescribed by the
12 department, the inspector shall notify the person for whom the inspection was made.
13 After such notice, no person may sell or use the product in this state or remove it from
14 storage as long as it fails to meet the minimum specifications prescribed by the
15 department or until satisfactory disposition is approved by the inspector. Any
16 transporter, wholesaler or distributor of petroleum products who delivers or causes
17 to be delivered a petroleum product that fails to meet the minimum specifications
18 prescribed by the department shall, at the direction of the department, remove the
19 petroleum product and dispose of it in a manner approved by the department. The
20 department may contract for the performance of testing conducted under this
21 subsection.

22 (2) Inspections ~~made by the inspectors~~ under sub. (1) shall be conducted, so far
23 as applicable, in accordance with the methods outlined in the latest revision of the
24 ASTM Book of Standards of the American Society for Testing and Materials.

25 ***b0251/1.1* SECTION 2303d.** 166.215 (5) of the statutes is amended to read:

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1 166.215 (5) The division shall notify the joint committee on finance in writing,
2 before entering into a new contractual agreement under sub. (1) or renewing or
3 extending a contractual agreement under sub. (1), of the specific funding
4 commitment involved in that proposed new, renewed or extended contract. The
5 division shall include in that notification information regarding any anticipated
6 contractual provisions that involve state fiscal commitments for each fiscal year in
7 the proposed new, renewed or extended contract. The division may enter into a new
8 contractual agreement or renew or extend a contractual agreement, as proposed in
9 the notification to the joint committee on finance, if within 14 working days after
10 notification the committee does not schedule a meeting to review the division's
11 proposed action. If, within 14 working days after notification to the joint committee
12 on finance, the committee notifies the division that the committee has scheduled a
13 meeting to review the division's proposed action, the division may enter into the
14 proposed new contact or renew or extend the contract as proposed only if the
15 committee approves that action. ~~Notwithstanding s. 13.10, the division may include~~
16 ~~in its notification to the joint committee on finance a request for approval of any~~
17 ~~increase in the amount of money in the appropriation account under s. 20.465 (3) (dd)~~
18 ~~necessary to provide sufficient money for the proposed new, renewed or extended~~
19 ~~contracts under sub. (1).~~

20 ***b0174/3.17* SECTION 2308d.** 182.028 of the statutes is amended to read:

21 **182.028 School corporations.** Any corporation formed for the establishment
22 and maintenance of schools, academies, seminaries, colleges or universities or for the
23 cultivation and practice of music shall have power to enact bylaws for the protection
24 of its property, and provide fines as liquidated damages upon its members and
25 patrons for violating the bylaws, and may collect the same in tort actions, and to

1 prescribe and regulate the courses of instruction therein, and to confer such degrees
2 and grant such diplomas as are usually conferred by similar institutions or as shall
3 be appropriate to the courses of instruction prescribed, except that no corporation
4 shall operate or advertise a school that is subject to s. ~~39.51~~ 45.54 (10) without
5 complying with the requirements of s. ~~39.51~~ 45.54. Any stockholder may transfer his
6 or her stock to the corporation for its use; and if the written transfer so provides the
7 stock shall be perpetually held by the board of directors with all the rights of a
8 stockholder, including the right to vote.

9 *b0238/4.8* SECTION 2309m. 196.01 (3n) of the statutes is amended to read:
10 196.01 (3n) "Mobile home" has the meaning given in s. 101.91 (1) (2e).

11 *-0250/4.11* SECTION 2316. 196.218 (1) (a) and (b) of the statutes are repealed.

12 *-1950/4.2* SECTION 2317. 196.218 (3) (a) 3. of the statutes is amended to read:
13 196.218 (3) (a) 3. The commission shall designate the method by which the

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14 contributions under this paragraph shall be calculated and collected. The method
15 shall ensure that the contributions are sufficient to generate the amounts

16 appropriated under ss. 20.155 (1) (q), 20.255 (3) (q), 20.275 (1) (s), (t) and (tm) and

17 20.285 (1) (q). Contributions may be based only on the gross operating revenues from
18 the provision of broadcast services identified by the commission under subd. 2. and
19 on intrastate telecommunications services in this state of the telecommunications
20 providers subject to the contribution.

21 *-0250/4.12* SECTION 2318. 196.218 (4r) (title) of the statutes is renumbered
22 44.73 (title).

23 *-0250/4.13* SECTION 2319. 196.218 (4r) (a) (intro.) of the statutes is repealed.

24 *-0250/4.14* SECTION 2320. 196.218 (4r) (a) 1. of the statutes is renumbered
25 44.70 (1m).

1 *~~0250/4.15~~* SECTION 2321. 196.218 (4r) (a) 2. and 2m. of the statutes are
2 renumbered 44.70 (3g) and (3j).

3 *~~0250/4.16~~* SECTION 2322. 196.218 (4r) (a) 3. of the statutes is renumbered
4 44.70 (6).

5 *~~0250/4.17~~* SECTION 2323. 196.218 (4r) (b) of the statutes is renumbered
6 44.73 (1) and amended to read:

7 44.73 (1) The ~~commission board~~, in consultation with the department ~~and the~~
8 ~~board~~, shall promulgate rules establishing an educational telecommunications
9 access program to provide ~~school districts, private schools, cooperative educational~~
10 ~~service agencies, technical college districts, private colleges and public library~~
11 ~~boards~~ educational agencies with access to data lines and video links.

12 *~~0250/4.18~~* SECTION 2324. 196.218 (4r) (c) (intro.), 1., 2., 3. and 4. of the
13 statutes are renumbered 44.73 (2) (intro.), (a), (b), (c) and (d) and amended to read:

14 44.73 (2) (intro.) The rules promulgated under ~~par. (b)~~ sub. (1) shall do all of
15 the following:

16 (a) Allow ~~a school district, private school, cooperative educational service~~
17 ~~agency, technical college district, private college and public library board~~ an
18 educational agency to make a request to the board for access to either one data line
19 or one video link, except that if any educational agency may request access to
20 additional data lines if the agency shows to the satisfaction of the board that the
21 additional data lines are more cost-effective than a single data line and except that
22 a school district that operates more than one high school ~~the rules shall allow the~~
23 ~~school district to~~ may request access to both a data line and a video link and ~~to request~~
24 access to more than one data line or video link. ~~The board shall forward requests~~
25 ~~received under this subdivision to the commission and the department.~~

1 (b) Establish eligibility requirements for a school district, private school,
2 cooperative educational service agency, technical college district, private college and
3 public library board an educational agency to participate in the program established
4 under par. (b). The requirements shall prohibit a participant in the program from
5 receiving assistance from the universal service fund for the purpose specified in sub.
6 (5) (a) 3. for educational telecommunications access that is substantially similar to
7 the access provided to the participant under the program sub. (1).

8 (c) Establish specifications for a data line or lines and video link that links for
9 which access is provided to a school district, private school, cooperative educational
10 service agency, technical college district, private college and public library board an
11 educational agency under the program established under par. (b) sub. (1).

12 (d) Require a school district, private school, cooperative educational service
13 agency, technical college district, private college and public library board an
14 educational agency to pay the department not more than \$250 per month for each
15 data line or video link that is provided to the school district, private school,
16 cooperative educational service agency, technical college district, private college and
17 public library board educational agency under the program established under par.
18 (b) sub. (1), except that the charge may not exceed \$100 per month for each data line
19 or video link that relies on a transport medium that operates at a speed of 1.544
20 megabits per second.

21 ***-0250/4.19* SECTION 2325.** 196.218 (4r) (c) 5. of the statutes is renumbered
22 44.73 (2) (e).

23 ***-0250/4.20* SECTION 2326.** 196.218 (4r) (d) of the statutes is renumbered
24 44.73 (3) and amended to read:

1 44.73 (3) The ~~commission board~~ shall submit an annual report to the ~~board~~
2 ~~department~~ on the status of providing data lines and video links that are requested
3 under ~~par. (c) 1, sub. (2) (a)~~ and the impact on the universal service fund of any
4 payment under ~~sub. (5) (a) 5, contracts under s. 16.974 (7)~~.

5 *~~0250/4.21~~* SECTION 2327. 196.218 (4r) (e) of the statutes is renumbered
6 44.73 (4) and amended to read:

7 44.73 (4) If the federal communications commission promulgates or modifies
8 rules that provide rate discounts for telecommunications services to ~~school districts,~~
9 ~~private schools, cooperative educational service agencies, technical college districts,~~
10 ~~private colleges or public library boards~~ educational agencies under 47 USC 254, the
11 governor shall submit a report to the joint committee on finance that includes any
12 recommended changes to statutes or rules with respect to funding the program
13 established under ~~par. (b) sub. (1)~~.

14 *~~0250/4.22~~* SECTION 2328. 196.218 (4r) (f) of the statutes is renumbered
15 44.73 (5) and amended to read:

16 44.73 (5) Notwithstanding ~~pars. (b) and (c) subs. (1) and (2)~~, technical college
17 districts are not eligible to participate in the program established under ~~par. (b) sub.~~
18 ~~(1)~~ before April 1, 1998. ~~In consultation with the commission, the~~ The board shall
19 determine by April 1, 1998, whether there are sufficient moneys in the appropriation
20 under s. 20.275 (1) ~~(s) (t)~~ to include technical college districts in the program
21 established under ~~par. (b) sub. (1)~~. If the board determines that there are sufficient
22 moneys, technical college districts are eligible to participate in the program
23 established under ~~par. (b) sub. (1)~~ beginning on April 1, 1998.

24 *~~0250/4.23~~* SECTION 2329. 196.218 (4r) (g) of the statutes is renumbered
25 44.73 (6) and amended to read:

1 44.73 (6) From the appropriation under s. 20.275 (1) (gf), (gh), (s) or (tm), the
 2 board may award an annual grant to a school district or private school that had in
 3 effect on October 14, 1997, a contract for access to a data line or video link, as
 4 documented by the ~~commission~~ board. The board shall determine the amount of the
 5 grant, which shall be equal to the cost incurred by the state to provide
 6 telecommunications access to a school district or private school under a contract
 7 entered into under s. 16.974 (7) (a) or (c) less the amount that the school district or
 8 private school would be paying under ~~par. (e) 4. sub. (2) (d)~~ if the school district or
 9 private school were participating in the program established under ~~par. (b) sub. (1)~~,
 10 except that the amount may not be greater than the cost that a school district or
 11 private school incurs under the contract in effect on October 14, 1997. A school
 12 district or private school receiving a grant under this ~~paragraph~~ subsection is not
 13 eligible to participate in the program under ~~par. (b) sub. (1)~~. No grant may be
 14 awarded under this ~~paragraph~~ subsection after June 30, 2002.

15 ***b0345/4.4* SECTION 2329m.** 196.218 (4u) of the statutes is created to read:

16 196.218 (4u) MEDICAL TELECOMMUNICATIONS EQUIPMENT PROGRAM. From the
 17 appropriation under 20.155 (1) (q), the commission may spend up to \$500,000
 18 annually for grants to nonprofit medical clinics and public health agencies for the
 19 purchase of telecommunications equipment to be used in providing services to their
 20 clients. The commission shall promulgate rules establishing requirements and
 21 procedures for awarding grants under this subsection.

22 ***-1950/4.3* SECTION 2330.** 196.218 (5) (a) 3. of the statutes is repealed.

23 ***-1508/2.3* SECTION 2331.** 196.218 (5) (a) 5. of the statutes is amended to read:

24 196.218 (5) (a) 5. To pay costs incurred under contracts under s. 16.974 (7) to
 25 the extent that these costs are not paid under ~~sub. (4r) (e) 4. s. 44.73 (2) (d)~~

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1 ***b0379/2.4* SECTION 2331g.** 196.218 (5) (a) 5m. of the statutes is created to
2 read:

3 196.218 (5) (a) 5m. To provide statewide access, through the Internet, to
4 periodical and reference information data bases.

5 ***-0250/4.24* SECTION 2332.** 196.218 (5) (a) 7. of the statutes is amended to
6 read:

7 196.218 (5) (a) 7. To make grants awarded by the technology for educational
8 achievement in Wisconsin board to school districts and private schools under sub.
9 (4r) (g) s. 44.73 (6). This subdivision does not apply after June 30, 2002.

10 ***b0345/4.5* SECTION 2332m.** 196.218 (5) (a) 9. of the statutes is created to
11 read:

12 196.218 (5) (a) 9. To make grants under sub. (4u).

13 ***b0347/2.2* SECTION 2332m.** 196.218 (5) (a) 8. of the statutes is created to
14 read:

15 196.218 (5) (a) 8. To promote access to information and library services to blind
16 and visually handicapped individuals.

17 ***b0348/2.1* SECTION 2332m.** 196.218 (5) (d) of the statutes is created to read:

18 196.218 (5) (d) 1. In this paragraph, "Wisconsin works agency" has the meaning
19 given in s. 49.001 (9).

20 2. The commission shall annually provide information booklets to all Wisconsin
21 works agencies that describe the current assistance from the universal service fund
22 that is available to low-income individuals who are served by the Wisconsin works
23 agencies, including a description of how such individuals may obtain such
24 assistance. The department of workforce development shall assist the commission

1 in identifying the Wisconsin works agencies to which the commission is required to
2 submit the information required under this subdivision.

3 ~~*-0250/4.25*~~ SECTION 2333. 196.218 (5m) of the statutes is amended to read:
4 196.218 (5m) RULE REVIEW. ~~Except for rules promulgated under sub. (4r) (b),~~
5 ~~at~~ At least biennially, the commission shall review and revise as appropriate rules
6 promulgated under this section.

7 ~~*b0346/1.2*~~ SECTION 2333m. 196.218 (5u) of the statutes is created to read:
8 196.218 (5u) BIENNIAL BUDGET REQUEST. The commission shall include in its
9 biennial budget request under s. 16.42 a proposed budget for each individual
10 program for which the commission proposes to expend moneys from the universal
11 fund in the forthcoming biennium. A proposed budget under this subsection shall
12 describe each program and identify the proposed expenditure amount for each
13 program for each fiscal year of the biennium.

14 ~~*-0250/4.26*~~ SECTION 2334. 196.218 (6) (b) of the statutes is amended to read:
15 196.218 (6) (b) The universal service fund council shall advise the commission
16 concerning the administration of this section and the content of rules promulgated
17 under this section. ~~This paragraph does not apply to the administration of sub. (4r)~~
18 ~~and rules promulgated under sub. (4r) (b).~~

19 ~~*b0349/1.2*~~ SECTION 2335m. 196.44 (2) (b) of the statutes is amended to read:
20 196.44 (2) (b) The attorney general may, on his or her own initiative, appear
21 before the commission on telecommunications matters relating to consumer
22 protection and antitrust. If acting under the authority granted by this paragraph,
23 the attorney general shall have the rights accorded a party before the commission
24 in its proceedings but may not appeal as a party a decision of the commission to the
25 circuit court. This paragraph does not apply after June 30, ~~1999~~ 2001.

1 ***b0349/1.3* SECTION 2336m.** 196.85 (2m) of the statutes is amended to read:
2 196.85 (2m) Annually, the commission shall assess telecommunications
3 utilities for the cost of one attorney position in the department of justice to provide
4 services relating to telecommunications matters and for the cost of supplies, services
5 and equipment related to that position. The amounts received under this subsection
6 shall be credited to the appropriation under s. 20.455 (1) (kt). This subsection does
7 not apply after June 30, ~~1999~~ 2001.

8 ***b0238/4.9* SECTION 2342cc.** Subchapter VI (title) of chapter 218 [precedes
9 218.10] of the statutes is amended to read:

10 **CHAPTER 218**

11 **SUBCHAPTER VI**

12 **MOBILE HOME RECREATIONAL**

13 **VEHICLE DEALERS**

14 ***b0238/4.9* SECTION 3342cg.** 218.10 (1) of the statutes is repealed.

15 ***b0238/4.9* SECTION 2342cL.** 218.10 (1m) of the statutes is created to read:
16 218.10 (1m) “Department” means the department of transportation, unless the
17 context requires otherwise.

18 ***b0238/4.9* SECTION 2342cp.** 218.10 (1t) of the statutes is repealed.

19 ***b0238/4.9* SECTION 2342ct.** 218.10 (2) of the statutes is repealed.

20 ***b0238/4.9* SECTION 2342cx.** 218.10 (3) of the statutes is renumbered 218.10
21 (1g), and 218.10 (1g) (intro.) and (e), as renumbered, are amended to read:

22 218.10 (1g) (intro.) ~~“Mobile home dealer”~~ **“Dealer”**, ~~unless the context requires~~
23 **otherwise**, means a person who, for a commission or other thing of value, sells,
24 exchanges, buys or rents, or offers or attempts to negotiate a sale or exchange of an
25 interest in ~~mobile homes~~ **a recreational vehicle** or who is engaged wholly or in part

1 in the business of selling ~~mobile homes~~ recreational vehicles, whether or not the
2 ~~mobile homes~~ recreational vehicles are owned by the person, but does not include:

3 (e) A person transferring a ~~mobile home~~ recreational vehicle registered in that
4 person's name and used for that person's personal, family or household purposes, if
5 the transfer is an occasional sale and is not part of the business of the transferor.

6 *b0238/4.9* SECTION 2342gc. 218.10 (4) of the statutes is renumbered 218.10
7 (1x) and amended to read:

8 218.10 (1x) "~~Mobile home manufacturer~~" "Manufacturer" means any person
9 within or without this state who manufactures or assembles ~~mobile homes~~
10 recreational vehicles for sale in this state.

11 *b0238/4.9* SECTION 2342gg. 218.10 (5) of the statutes is repealed.

12 *b0238/4.9* SECTION 2342gi. 218.10 (6) of the statutes is renumbered 218.10
13 (8t) and amended to read:

14 218.10 (8t) "~~Mobile home salesperson~~" "Salesperson", unless the context
15 requires otherwise, means any person who is employed by a ~~mobile home~~
16 manufacturer or dealer to sell or lease ~~mobile homes~~ recreational vehicles.

17 *b0238/4.9* SECTION 2342gL. 218.10 (7) of the statutes is amended to read:

18 218.10 (7) "New ~~mobile home~~ recreational vehicle" means a ~~mobile home~~
19 recreational vehicle which has never been occupied, used or sold for personal or
20 business use.

21 *b0238/4.9* SECTION 2342gp. 218.10 (8) of the statutes is repealed.

22 *b0238/4.9* SECTION 2342gt. 218.10 (8m) of the statutes is amended to read:

23 218.10 (8m) "Recreational vehicle" means a mobile home, as defined in s.
24 340.01 (29), that does not exceed the statutory size under s. 348.07 (2).

25 *b0238/4.9* SECTION 2342gx. 218.10 (9) of the statutes is amended to read:

1 218.10 (9) “Used ~~mobile home~~ recreational vehicle” means a ~~mobile home~~
2 recreational vehicle which has previously been occupied, used or sold for personal or
3 business use.

4 ***b0238/4.9* SECTION 2342Lc.** 218.101 of the statutes is repealed.

5 ***b0238/4.9* SECTION 2342Lg.** 218.11 (title) of the statutes is amended to read:

6 **218.11 (title) ~~Mobile home~~ Recreational vehicle dealers regulated.**

7 ***b0238/4.9* SECTION 2342LL.** 218.11 (1) of the statutes is amended to read:

8 218.11 (1) No person may engage in the business of selling ~~mobile homes to the~~
9 ultimate recreational vehicles to a consumer or to the retail market in this state
10 unless first licensed to do so by the ~~licensor as herein provided~~ department.

11 ***b0238/4.9* SECTION 2342Lp.** 218.11 (2) (b) and (d) of the statutes are
12 amended to read:

13 218.11 (2) (b) 1. The ~~licensor~~ department shall promulgate rules establishing
14 the license period under this section.

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

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

22 ***b0238/4.9* SECTION 2342Lt.** 218.11 (3) of the statutes is amended to read:

23 218.11 (3) A license shall be issued only to persons whose character, fitness and
24 financial ability, in the opinion of the ~~licensor~~ department, is such as to justify the
25 belief that they can and will deal with and serve the buying public fairly and honestly,

1 will maintain a permanent office and place of business and an adequate service and
2 parts department during the license year, and will abide by all the provisions of law
3 and lawful orders of the ~~licensor~~ department.

4 *b0238/4.9* SECTION 2342Lx. 218.11 (6) (intro.) and (d) of the statutes are
5 amended to read:

6 218.11 (6) (intro.) The ~~licensor~~ department may deny, suspend or revoke a
7 license on the following grounds:

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

10 *b0238/4.9* SECTION 2342pc. 218.11 (6) (n) of the statutes is amended to read:

11 218.11 (6) (n) Having violated any law relating to the sale, distribution or
12 financing of ~~mobile homes~~ recreational vehicles.

13 *b0238/4.9* SECTION 2342pg. 218.11 (7) of the statutes is amended to read:

14 218.11 (7) (a) The ~~licensor~~ department may without notice deny the application
15 for a license within 60 days after receipt thereof by written notice to the applicant,
16 stating the grounds for such denial. Within 30 days after such notice, the applicant
17 may petition the ~~department of administration~~ division of hearings and appeals, as
18 defined in s. 218.01 (1)(gm), to conduct a hearing to review the denial, and a hearing
19 shall be scheduled with reasonable promptness. ~~If the licensor is the department of~~
20 ~~transportation, the division of hearings and appeals shall conduct the hearing.~~ This
21 paragraph does not apply to denials of applications for licenses under sub. (6m).

22 (b) No license may be suspended or revoked except after a hearing thereon. The
23 ~~licensor~~ department shall give the licensee at least 5 days' notice of the time and
24 place of such hearing. The order suspending or revoking such license shall not be
25 effective until after 10 days' written notice thereof to the licensee, after such hearing

1 has been had; except that the ~~licensor~~ department, when in its opinion the best
2 interest of the public or the trade demands it, may suspend a license upon not less
3 than 24 hours' notice of hearing and with not less than 24 hours' notice of the
4 suspension of the license. Matters involving suspensions and revocations ~~brought~~
5 ~~before the licensor~~ shall be heard and decided upon by the ~~department of~~
6 ~~administration~~. If the ~~licensor is the department of transportation~~, the division of
7 hearings and appeals shall ~~conduct the hearing~~. This paragraph does not apply to
8 licenses that are suspended under sub. (6m).

9 (c) The ~~licensor~~ department may inspect the pertinent books, records, letters
10 and contracts of a licensee. The actual cost of each such examination shall be paid
11 by such licensee so examined within 30 days after demand therefor by the ~~licensor~~,
12 department and the ~~licensor~~ department may maintain an action for the recovery of
13 such costs in any court of competent jurisdiction.

14 *b0238/4.9* SECTION 2342pL. 218.12 (title) of the statutes is amended to read:
15 218.12 (title) ~~Mobile home dealer~~ Recreational vehicle salespersons
16 regulated.

17 *b0238/4.9* SECTION 2342pp. 218.12 (1) of the statutes is amended to read:
18 218.12 (1) No person may engage in the business of selling ~~mobile homes to the~~
19 ~~ultimate~~ recreational vehicles to a consumer or to the retail market in this state
20 without a license therefor from the ~~licensor~~ department. If a ~~mobile home~~ dealer acts
21 as a ~~mobile home~~ salesperson the dealer shall secure a ~~mobile home~~ salesperson's
22 license in addition to the license for engaging as a ~~mobile home~~ dealer.

23 *b0238/4.9* SECTION 2342pt. 218.12 (2) (a) of the statutes is amended to read:
24 218.12 (2) (a) Applications for ~~mobile home~~ a salesperson's license and
25 renewals thereof shall be made to the ~~licensor~~ department on such forms as the

1 ~~licensor~~ department prescribes and furnishes and shall be accompanied by the
2 license fee required under par. (c) or (d). The application shall include the applicant's
3 social security number. In addition, the application shall require such pertinent
4 information as the ~~licensor~~ department requires.

5 *b0238/4.9* SECTION 2342px. 218.12 (2) (b) and (d) of the statutes are
6 amended to read:

7 218.12 (2) (b) 1. The ~~licensor~~ department shall promulgate rules establishing
8 the license period under this section.

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

11 (d) If the ~~licensor~~ department issues a license under this section during the
12 license period, the fee for the license shall equal \$4 multiplied by the number of
13 calendar years, including parts of calendar years, during which the license remains
14 in effect. A fee determined under this paragraph may not exceed the license fee for
15 the entire license period under par. (c).

16 *b0238/4.9* SECTION 2342tc. 218.12 (3) of the statutes is amended to read:

17 218.12 (3) Every licensee shall carry his or her license when engaged in his or
18 her business and display the same upon request. The license shall name his or her
19 employer, and in case of a change of employer, the salesperson shall immediately
20 mail his or her license to the ~~licensor~~ department, which shall endorse such
21 change on the license without charge.

22 *b0238/4.9* SECTION 2342tg. 218.12 (5) of the statutes is amended to read:

23 218.12 (5) The provision of s. 218.01 (3) relating to the denial, suspension and
24 revocation of a motor vehicle salesperson's license shall apply to the denial,
25 suspension and revocation of a ~~mobile home~~ salesperson's license so far as applicable,

1 except that such provision does not apply to the denial, suspension or revocation of
2 a license under sub. (3m).

3 *b0238/4.9* SECTION 2342tL. 218.12 (6) of the statutes is amended to read:

4 218.12 (6) The provisions of s. 218.01 (3) (g) and (5) shall apply to this section,
5 ~~mobile home~~ recreational vehicle sales practices and the regulation of ~~travel trailer~~
6 ~~or mobile home~~ recreational vehicle salespersons, as far as applicable.

7 *b0238/4.9* SECTION 2342tp. 218.14 of the statutes is repealed.

8 *b0238/4.9* SECTION 2342tt. 218.15 of the statutes is amended to read:

9 218.15 (title) **Sale or lease of used primary housing units recreational**
10 **vehicles**. In the sale or lease of any used ~~primary housing unit~~ recreational vehicle,
11 the sales invoice or lease agreement shall contain the point of manufacture of the
12 used ~~primary housing unit~~ recreational vehicle, the name of the manufacturer and
13 the name and address of the previous owner.

14 *b0238/4.9* SECTION 2342tx. 218.16 of the statutes is repealed.

15 *b0238/4.9* SECTION 2342xc. 218.165 of the statutes is repealed.

16 *b0238/4.9* SECTION 2342xg. 218.17 (1) of the statutes is repealed.

17 *b0238/4.9* SECTION 2342xL. 218.17 (2) of the statutes is amended to read:

18 218.17 (2) In any court action brought by the ~~licensor~~ department for violations
19 of this subchapter, the ~~licensor~~ department may recover all costs of testing and
20 investigation, in addition to costs otherwise recoverable, if it prevails in the action.

21 *b0238/4.9* SECTION 2342xp. 218.17 (3) of the statutes is amended to read:

22 218.17 (3) Nothing in this subchapter prohibits ~~the~~ an aggrieved customer
23 from bringing of a civil action against a ~~mobile home manufacturer~~, dealer or
24 salesperson ~~by an aggrieved customer~~. If judgment is rendered for the customer
25 based on an act or omission by the ~~manufacturer~~, dealer or salesperson, which

1 constituted a violation of this subchapter, the plaintiff shall recover actual and
2 proper attorney fees in addition to costs otherwise recoverable.

3 ***-1191/2.1* SECTION 2351.** 224.30 (1) (title) of the statutes is created to read:
4 224.30 (1) (title) DEFINITION.

5 ***-1191/2.2* SECTION 2352.** 224.30 (2) (title) of the statutes is created to read:
6 224.30 (2) (title) ELECTRONIC FORMS AND SIGNATURES.

7 ***-1191/2.3* SECTION 2353.** 224.30 (3) of the statutes is created to read:
8 224.30 (3) COMPUTER DATABASES, NETWORKS AND SYSTEMS; ACCESS AND USE FEES.

9 (a) Except as provided in par. (b), the department may by rule establish fees to be
10 paid by members of the public for accessing or using the department's computer
11 databases, computer networks or computer systems. Every fee established under
12 this paragraph shall be based upon the reasonable cost of the service provided by the
13 department, together with a reasonable share of the costs of developing and
14 maintaining the department's computer databases, computer networks and
15 computer systems.

16 (b) The department may not charge a fee under par. (a) to a person who accesses
17 or uses a department data base or computer system at an office of the register of
18 deeds under s. 409.407 (2m) (b).

19 ***b0519/4.15* SECTION 2353m.** 227.01 (1) of the statutes is amended to read:

20 227.01 (1) "Agency" means the Wisconsin land council or a board, commission,
21 committee, department or officer in the state government, except the governor, a
22 district attorney or a military or judicial officer.

23 ***b0519/4.15* SECTION 2353n.** 227.01 (1) of the statutes, as affected by 1999
24 Wisconsin Act (this act), is amended to read:

1 227.01 (1) “Agency” means ~~the Wisconsin land council or~~ a board, commission,
2 committee, department or officer in the state government, except the governor, a
3 district attorney or a military or judicial officer.

4 ***b0523/3.5* SECTION 2353m.** 227.01 (13) (t) of the statutes is amended to read:

5 227.01 (13) (t) Ascertains and determines prevailing wage rates and prevailing
6 hours of labor under ~~ss. s. 20.924 (1) (i) 3. or (j) 3. c., 66.293, 103.49 and or 103.50,~~
7 except that any action or inaction which ascertains and determines prevailing wage
8 rates and prevailing hours of labor under ~~ss. s. 20.924 (1) (i) 3. or (j) 3. c., 66.293,~~
9 103.49 ~~and or~~ 103.50 is subject to judicial review under s. 227.40.

10 ***b0519/4.16* SECTION 2355m.** 227.113 of the statutes is created to read:

11 **227.113 Incorporation of state land use planning goals.** Each agency
12 shall ensure that, consistently with the laws that it administers, the rules
13 promulgated by the agency are designed to further the goals specified in s. 1.13 (2).

14 ***b0238/4.10* SECTION 2356m.** 227.43 (1) (bg) of the statutes is amended to
15 read:

16 227.43 (1) (bg) Assign a hearing examiner to preside over any hearing or review
17 under ss. 84.30 (18), 84.31 (6) (a), 85.013 (1), 86.073 (3), 86.16 (5), 86.195 (9) (b), 86.32
18 (1), 101.935 (2) (b), 101.951 (7) (a) and (b), 114.134 (4) (b), 114.135 (9), 114.20 (19),
19 175.05 (4) (b), 194.145 (1), 194.46, 218.01 (2) (bd) 2. and (c) 2., (3) (b), (c), (f) 1., (fm)
20 1. and (h) and (3c) (d), 218.11 (7) (a) and (b), 218.22 (4) (a) and (b), 218.32 (4) (a) and
21 (b), 218.41 (4), 218.51 (5) (a) and (b), 341.09 (2m) (d), 342.26, 343.69 and 348.25 (9).