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5           **\*b0793/2.17\* 648.** Page 958, line 14: after that line insert:

6           **\*b0793/2.17\* "SECTION 1818Lm.** 81.01 (3) (b) of the statutes is amended to  
7 read:

8           81.01 (3) (b) The town board by resolution submits to the electors of the town  
9 as a referendum at ~~a general or special town~~ an election authorized under s. 8.065  
10 the question of exceeding the \$10,000 limit set under this subsection. The board shall  
11 abide by the majority vote of the electors of the town on the question. The question  
12 shall read as follows:

13           Shall the town of ... spend \$... over the annual limit of \$10,000 for the  
14 construction and repair of its highways and bridges?

15                           FOR SPENDING  AGAINST SPENDING .

16           **\*b1145/3.20\* 649.** Page 958, line 14: after that line insert:

17           **\*b1145/3.20\* "SECTION 1818Lb.** 79.10 (11) (b) of the statutes is amended to  
18 read:

19           79.10 (11) (b) Before October 16, the department of administration shall  
20 determine the total funds available for distribution under the lottery credit in the

21 following year and shall inform the joint committee on finance of that total. Total  
22 funds available for distribution shall be all existing and projected lottery proceeds  
23 and interest for the fiscal year of the distribution, ~~less the amount estimated to be~~  
24 ~~expended under ss. 20.455 (2) (r), 20.566 (2) (r) and 20.835 (2) (q) and less the~~  
1 required reserve under s. 20.003 (5). The joint committee on finance may revise the  
2 total amount to be distributed if it does so at a meeting that takes place before  
3 November 1. If the joint committee on finance does not schedule a meeting to take  
4 place before November 1, the total determined by the department of administration  
5 shall be the total amount estimated to be distributed under the lottery credit in the  
6 following year.

7 **\*b1145/3.20\* SECTION 1818Lb.** 79.10 (11) (b) of the statutes, as affected by  
8 1999 Wisconsin Act .... (this act), is repealed and recreated to read:

9 79.10 (11) (b) Before October 16, the department of administration shall  
10 determine the total funds available for distribution under the lottery credit in the  
11 following year and shall inform the joint committee on finance of that total. Total  
12 funds available for distribution shall be all existing and projected lottery proceeds  
13 and interest for the fiscal year of the distribution, less the amount estimated to be  
14 expended under ss. 20.455 (2) (r), 20.566 (2) (r) and 20.835 (2) (q) and less the  
15 required reserve under s. 20.003 (5). The joint committee on finance may revise the  
16 total amount to be distributed if it does so at a meeting that takes place before  
17 November 1. If the joint committee on finance does not schedule a meeting to take  
18 place before November 1, the total determined by the department of administration  
19 shall be the total amount estimated to be distributed under the lottery credit in the  
20 following year.”

21           **\*b1166/1.4\* 650.** Page 958, line 14: after that line insert:

22           **\*b1166/1.4\*** “SECTION 1818Ld. 79.13 of the statutes is created to read:

1           **79.13 Farmland tax relief credit.** (1) In the 1999–2000 fiscal year, the  
2 amount estimated to be expended from the appropriation under s. 20.835 (2) (q) is  
3 \$20,000,000.

4           (2) In the 2000–01 fiscal year, the amount estimated to be expended from the  
5 appropriation under s. 20.835 (2) (q) is \$20,000,000, plus the amount that was  
6 estimated to be expended from the appropriation under s. 20.835 (2) (q) in the  
7 previous fiscal year and less the actual amount that was expended from the  
8 appropriation under s. 20.835 (2) (q) in the previous fiscal year.

9           (3) In the 2001–02 fiscal year, and in each fiscal year thereafter, the amount  
10 estimated to be expended from the appropriation under s. 20.835 (2) (q) is  
11 \$15,000,000, plus the amount that was estimated to be expended from the  
12 appropriation under s. 20.835 (2) (q) in the previous fiscal year and less the actual  
13 amount that was expended from the appropriation under s. 20.835 (2) (q) in the  
14 previous fiscal year.”.

15           **\*b1167/2.3\* 651.** Page 958, line 14: after that line insert:

16           **\*b1167/2.3\*** “SECTION 1818Le. 78.55 (1) of the statutes is amended to read:

17           78.55 (1) “Air carrier company” has the meaning given in s. ~~76.02 (1)~~ 70.11  
18 (40).”.

19           **\*b0908/1.1\* 652.** Page 958, line 19: after that line insert:

20           **\*b0908/1.1\*** “SECTION 1818w. 84.013 (3) (ra) of the statutes is created to read:

21           84.013 (3) (ra) STH 23 between STH 67 and USH 41 in Sheboygan and Fond  
22 du Lac counties.”.

23           **\*b0910/1.1\* 653.** Page 958, line 19: after that line insert:

24           **\*b0910/1.1\* "SECTION 1818p.** 84.01 (31) of the statutes is created to read:

1           84.01 (31) STATE HIGHWAY REHABILITATION FUNDS. The department may not use  
2 funds from the appropriations under s. 20.395 (3) (cq) to (cx) for the maintenance or  
3 replacement of curb and pavement or other markings, or for the operation,  
4 maintenance or replacement of highway signs, traffic signals or highway lighting,  
5 unless the maintenance, replacement or operation is in conjunction with activities  
6 related to a state trunk highway reconditioning, reconstruction or resurfacing  
7 project.”.

8           **\*b1069/2.2\* 654.** Page 958, line 19: after that line insert:

9           **\*b1069/2.2\* "SECTION 1818r.** 84.013 (2) (a) of the statutes is amended to read:

10           84.013 (2) (a) ~~Major~~ Subject to s. 86.255, major highway projects shall be  
11 funded from the appropriations under ss. 20.395 (3) (bq) to (bx) and (4) (jq) and 20.866  
12 (2) (ur) to (uu).

13           **\*b1069/2.2\* SECTION 1818t.** 84.013 (2) (b) of the statutes is amended to read:

14           84.013 (2) (b) ~~Reconditioning~~ Subject to s. 86.255, reconditioning,  
15 reconstruction and resurfacing of highways shall be funded from the appropriations  
16 under s. 20.395 (3) (cq) to (cx).”.

17           ~~**\*b0796/1.9\* 655.** Page 959, line 17: after that line insert:~~

18           ~~**\*b0796/1.9\* "SECTION 1819g.** 84.06 (2) (a) of the statutes is amended to read:~~

19           ~~84.06 (2) (a) All such highway improvements shall be executed by contract  
20 based on bids unless the department finds that another method as provided in sub.  
21 (3) or (4) would be more feasible and advantageous. Bids shall be advertised for in  
22 the manner determined by the department. Except as provided in s. 84.075, the~~

23 contract shall be awarded to the lowest competent and responsible bidder as  
24 determined by the department. If the bid of the lowest competent bidder is  
1 determined by the department to be in excess of the estimated reasonable value of  
2 the work or not in the public interest, all bids may be rejected. The department shall,  
3 so far as reasonable, follow uniform methods of advertising for bids and may  
4 prescribe and require uniform forms of bids and contracts. Except as provided in par.  
5 (b), the secretary shall enter into the contract on behalf of the state. Every such  
6 contract is exempted from ss. 16.70 to 16.75, 16.755 to 16.82, 16.87 and 16.89, but  
7 ss. 16.528, 16.752 and 16.754 apply to the contract. Contracts under this section are  
8 subject to s. 85.017. Any such contract involving an expenditure of \$1,000 or more  
9 shall not be valid until approved by the governor. The secretary may require the  
10 attorney general to examine any contract and any bond submitted in connection with  
11 the contract and report on its sufficiency of form and execution. The bond required  
12 by s. 779.14 (1m) is exempt from approval by the governor and shall be subject to  
13 approval by the secretary. This subsection also applies to contracts with private  
14 contractors based on bids for maintenance under s. 84.07.”

15 \*b0911/2.1\* **656.** Page 959, line 17: after that line insert:

16 \*b0911/2.1\* “SECTION 1819gd. 84.06 (2)(a) of the statutes is renumbered 84.06  
17 (2) and amended to read:

18 84.06 (2) BIDS, CONTRACTS. All such highway improvements shall be executed  
19 by contract based on bids unless the department finds that another method as  
20 provided in sub. (3) or (4) would be more feasible and advantageous. Bids shall be  
21 advertised for in the manner determined by the department. Except as provided in  
22 s. 84.075, the contract shall be awarded to the lowest competent and responsible

Contracts under this section are subject to s. 85.017.

23 bidder as determined by the department. If the bid of the lowest competent bidder  
24 is determined by the department to be in excess of the estimated reasonable value  
1 of the work or not in the public interest, all bids may be rejected. The department  
2 shall, so far as reasonable, follow uniform methods of advertising for bids and may  
3 prescribe and require uniform forms of bids and contracts. ~~Except as provided in par.~~  
4 ~~(b), the~~ The secretary shall enter into the contract on behalf of the state. Every such  
5 contract is exempted from ss. 16.70 to 16.75, 16.755 to 16.82, 16.87 and 16.89, but  
6 ss. 16.528, 16.752 and 16.754 apply to the contract. Any such contract involving an  
7 expenditure of \$1,000 or more shall not be valid until approved by the governor. The  
8 secretary may require the attorney general to examine any contract and any bond  
9 submitted in connection with the contract and report on its sufficiency of form and  
10 execution. The bond required by s. 779.14 (1m) is exempt from approval by the  
11 governor and shall be subject to approval by the secretary. This subsection also  
12 applies to contracts with private contractors based on bids for maintenance under s.  
13 84.07.

14 \*b0911/2.1\* SECTION 1819ge. 84.06 (2) (b) of the statutes is repealed.”.

15 \*b0912/1.1\* **657**. Page 959, line 17: after that line insert:

16 \*b0912/1.1\* “SECTION 1819g. 84.02 (14) of the statutes is created to read:

17 84.02 (14) I 39 INTERCHANGE. If a waiver from the federal department of  
18 transportation is required for the construction of an interchange at the intersection  
19 of I 39 and Kowalski Road in Marathon County, the state department of  
20 transportation shall request a waiver to permit construction of the interchange. If  
21 a waiver is granted or if the state department of transportation determines that a  
22 waiver is not required, the department of transportation shall design the

23 interchange specified in this subsection and allocate funds from the appropriations  
24 under s. 20.395 (3) (cq) to (cx) sufficient to construct the interchange.”.

1       **\*b1069/2.3\* 658.** Page 959, line 17: after that line insert:

2       **\*b1069/2.3\* “SECTION 1819gg.** 84.03 (9) (a) of the statutes is amended to read:

3       84.03 (9) (a) ~~That~~ Subject to s. 86.255, that part of the appropriation made by  
4 s. 20.395 (3), not required for the other purposes therein provided, may be used by  
5 the department for the improvement and traffic service of the state trunk highway  
6 system and connecting highways, for the purchase and operation of equipment,  
7 making surveys for locating local road materials, testing of materials, and for other  
8 purposes provided in this section, and to match or supplement federal aid for the  
9 construction, reconstruction or improvement of the federal aid highway system,  
10 secondary or feeder roads, the elimination of hazards at railroad grade crossings and  
11 for any other highway purpose for which the state may match or supplement federal  
12 aid funds pursuant to any act of congress. Where such funds are used for the  
13 improvement of the state trunk highway system or connecting highways or to match  
14 or supplement federal aid they shall be expended in accordance with s. 84.06 and any  
15 applicable act of congress. Any funds expended pursuant to this paragraph shall be  
16 expended by the department on such projects within the provisions of this  
17 paragraph, and executed in such manner as the department shall from time to time  
18 determine will best meet the needs of travel and best promote the general welfare.  
19 Such funds may be used for improvements, within the provisions of this paragraph,  
20 independent of or in conjunction with other funds available for such improvements.  
21 ~~The~~ Subject to s. 86.255, the requirements of any federal highway act, or regulations  
22 issued thereunder, may be met from such appropriation.

23           **\*b1069/2.3\* SECTION 1819gm.** 84.065 (4) of the statutes is amended to read:

1           84.065 (4) FUNDS. ~~The Subject to s. 86.255, the~~ department may make loans  
2           under this section from the appropriations under s. 20.395 (3) (bv) and (cv). The total  
3           outstanding balance of loans under this section may not exceed \$500,000.”.

4           **\*b1069/2.4\* 659.** Page 961, line 19: after that line insert:

5           **\*b1069/2.4\* “SECTION 1820mg.** 84.20 of the statutes is amended to read:

6           **84.20 State repair and maintenance of highways and streets.** Damage  
7           to any county trunk or town highway or city or village street caused by reason of its  
8           use as a detour designated by the department or for hauling materials incident to the  
9           maintenance, repair or construction by the department of any state trunk highway  
10          or street over which a state trunk highway is routed, shall be repaired by the  
11          department. Such highway or street shall also be maintained by the department  
12          during such use. ~~The Subject to s. 86.255, the~~ cost of such repairs and maintenance  
13          shall be paid from funds appropriated and available to the department for the  
14          maintenance and improvement of state trunk highways and connecting highways  
15          under s. 20.395 (3).”.

16          **\*b1069/2.5\* 660.** Page 963, line 13: after that line insert:

17          **\*b1069/2.5\* “SECTION 1824fm.** 84.31 (8) (b) of the statutes is amended to read:

18          84.31 (8) (b) The department and another state agency may enter into  
19          agreements for the purpose of assigning to the other state agency the responsibility  
20          for the administration of this section and rules adopted under this section. To the  
21          extent responsibility for administration is assigned to the other agency under such  
22          agreements, the other state agency shall have the same powers and duties conferred  
23          on the department under this section. The department shall reimburse the other



24 state agency from the appropriation under s. 20.395 (3) (cq) and (cx) for all expenses,  
1 including administrative expenses, incurred by the other state agency in connection  
2 with the screening, relocation, removal or disposal of junkyards under the authority  
3 assigned to the other state agency, except that no moneys may be reimbursed for the  
4 acquisition of land or interests in land contrary to s. 86.255.”

5 \*b1016/1.1\* **661.** Page 964, line 11: delete the material beginning with that  
6 line and ending with page 965, line 3.

7 \*b0925/2.2\* **662.** Page 964, line 5: delete “\$1,440,665,900” and substitute  
8 “\$1,437,365,900”.

9 \*b0796/1.10\* **663.** Page 964, line 10: after that line insert:

10 \*b0796/1.10\* “**SECTION 1826m.** 85.017 of the statutes is created to read:

11 **85.017 Contracts conditioned on use of labor organizations**  
12 **prohibited.** (1) In this section, “labor organization” has the meaning given in s.  
13 5.02 (8m).

14 (2) The secretary shall ensure that the specifications for bids, contracts for  
15 construction or maintenance projects entered into by the secretary or the  
16 department do not do any of the following:

17 (a) Require any bidder, contractor or subcontractor to enter into or to adhere  
18 to an agreement with any labor organization concerning services to be performed in  
19 relation to the project or a related project.

20 (b) Discriminate against any bidder, contractor or subcontractor for refusing  
21 to enter into or continue to adhere to an agreement with any labor organization  
22 concerning services to be performed in relation to the project or a related project.

1 (c) Require any bidder, contractor or subcontractor to enter into, continue to  
2 adhere to or enforce any agreement that requires its employees, as a condition of  
3 employment, to do any of the following:

4 1. Become members of or become affiliated with a labor organization.

5 2. Make payments to a labor organization, without the authorization of the  
6 employees, exceeding the employees' proportionate share of the cost of collective  
7 bargaining, contract administration and grievance adjustment.

8 (3) Any taxpayer of this state or any other person who enters into contracts or  
9 subcontracts for construction services subject to sub. (2) may bring an action against  
10 the secretary to require compliance with this section. If that person prevails in his  
11 or her action, the court shall award to that person reasonable actual attorney fees  
12 in addition to other costs allowed to prevailing parties under ch. 814.”.

13 \*b0921/3.1\* **664.** Page 965, line 19: after that line insert:

14 \*b0921/3.1\* “**SECTION 1830gb.** 85.026 (3) of the statutes is created to read:

15 85.026 (3) PROCEDURE. The department may not approve a grant under sub.  
16 (2) until after enactment of the biennial budget act for the biennium during which  
17 the grant will be awarded. The total amount of grants awarded under sub. (2) may  
18 not exceed the amounts appropriated under s. 20.395 (2) (nv) and (nx) for the  
19 purposes of transportation enhancement activities for the biennium during which  
20 the grants are awarded. If the department determines that a grant was awarded  
21 under sub. (2) for a project on which construction will not be completed within a  
22 reasonable time after the grant is awarded, the department may withdraw that  
23 grant and the amount of the grant so withdrawn may not be counted under this  
24 subsection.”.

1           **\*b0982/3.8\* 665.** Page 965, line 19: after that line insert:

2           **\*b0982/3.8\*** “SECTION 1830gm. 85.037 of the statutes is amended to read:

3           **85.037 Certification of fees collected.** Annually, no later than October 1,  
4 the secretary of transportation shall certify to the secretary of administration the  
5 amount of fees collected under s. ss. 101.9208 (1) (dm) and 342.14 (3m) during the  
6 previous fiscal year, for the purpose of determining the amounts to be transferred  
7 under s. 20.855 (4) (f) during the current fiscal year.”.

8           **\*b1252/3.4\* 666.** Page 967, line 7: after that line insert:

9           **\*b1252/3.4\*** “SECTION 1832m. 85.197 of the statutes is created to read:

10           **85.197 Baraboo land acquisition. (1) DEFINITIONS.** In this section:

11           (a) “Ice Age Trail” means the state scenic trail as designated under s. 23.17 (2)  
12 and includes corridors for the trail that have been approved by the department.

13           (b) “Land” means land in fee simple, easements in land and development rights  
14 in land.

15           (c) “Northwestern Dane county” means the area that is located in the towns of  
16 Berry, Black Earth, Dane, Mazomanie, Roxbury, Springfield and Westport.

17           (2) LAND ACQUISITIONS AUTHORIZED. From the appropriations under s. 20.395 (3)  
18 (bq), (br) and (bx), the department may expend moneys as provided in subs. (3) to (6).

19           (3) FOREST LAND ACQUISITIONS. The department may annually encumber or  
20 expend not more than \$1,000,000, beginning with fiscal year 1999–2000 and ending  
21 with fiscal year 2003–04, to acquire land that will protect the forest resources that  
22 are located within the boundaries of the Baraboo Range National Natural  
23 Landmark.

1           (4) SCENIC, CONSERVATION AND AGRICULTURAL ACQUISITION; DANE COUNTY. (a) The  
2 department may annually encumber or expend not more than \$1,000,000, beginning  
3 with fiscal year 1999–2000 and ending with fiscal year 2003–04, to purchase land  
4 that is located in northwestern Dane County for scenic, conservation or agricultural  
5 purposes.

6           (5) SCENIC, CONSERVATION AND AGRICULTURAL ACQUISITION; SAUK COUNTY. The  
7 department may encumber or expend not more than \$250,000 during the period  
8 beginning with fiscal year 1999–2000 and ending with fiscal year 2003–04, to  
9 purchase land that is located in Sauk County and that is located outside the  
10 boundaries of the Baraboo Range National Natural Landmark for scenic,  
11 conservation or agricultural purposes.

12           (6) ICE AGE TRAIL. (a) During the period beginning with fiscal year 1999–2000  
13 and ending with fiscal year 2003–04, the department may encumber or expend  
14 moneys for the development or improvement of the portion of the Ice Age Trail that  
15 is located in Sauk County or Dane County and that is in the vicinity of USH 12. The  
16 amount expended may not exceed \$2,000,000 or an amount equal to the amount  
17 allocated by the federal government for that portion of the Ice Age Trail during that  
18 period of time, whichever is less.

19           (b) For purposes of par. (a), the department of transportation shall by rule  
20 specify what constitutes the vicinity of USH 12.

21           (7) CERTIFICATION OF EXPENDITURES. No later than August 1, 2000, and no later  
22 than August 1 of each of the subsequent 4 years, the secretary of transportation shall  
23 certify to the secretary of natural resources and to the secretary of administration  
24 the amount encumbered or expended under s. 85.197 during the preceding fiscal  
25 year.

1           (8) SUNSET. (a) Except as provided in par. (b), this section does not apply after  
2 June 30, 2004.

3           (b) Subsection (7) does not apply after August 1, 2004.”.

4           **\*b0941/3.1\* 667.** Page 967, line 12: after that line insert “Operating  
5 expenses” do not include costs accruing to an urban mass transit system from  
6 services provided by a publicly owned urban mass transit system under a contract  
7 awarded on the basis of competitive bids unless the urban mass transit system’s bid  
8 used the fully allocated cost methodology described in sub. (8).”.

9           **\*b1066/3.1\* 668.** Page 967, line 12: delete “(a) 7.” and substitute “(a) 6. d., 7.”.

10          **\*b1066/3.3\* 669.** Page 967, line 25: delete the material beginning with that  
11 line and ending with page 968, line 15, and substitute:

12          **\*b1066/3.3\* “SECTION 1836mr.** 85.20 (4m) (a) (intro.) of the statutes is  
13 repealed and recreated to read:

14          85.20 (4m) (a) (intro.) The department shall pay annually to the eligible  
15 applicant described in subd. 6. cm. the amount of aid specified in subd. 6. cm. The  
16 department shall pay annually to the eligible applicant described in subd. 6. d. the  
17 amount of aid determined under subd. 6. d. The department shall allocate to each  
18 eligible applicant described in subd. 7. or 8. an amount equal to a uniform  
19 percentage, established by the department, of the operating expenses of each eligible  
20 applicant’s mass transit system for the calendar year. For calendar year 1999, the  
21 operating expenses used to establish the uniform percentage shall be the projected  
22 operating expenses of an urban mass transit system. Subject to sub. (4r), for  
23 calendar year 2000 and thereafter the operating expenses used to establish the  
24 uniform percentage shall be the operating expenses incurred during the 2nd

1 calendar year preceding the calendar year for which aid is paid under this section.  
2 The department shall make allocations as follows:".

3 \*b0941/3.2\* **670.** Page 967, line 24: after that line insert:

4 \*b0941/3.2\* "SECTION 1834m. 85.20 (1) (h) of the statutes is amended to read:

5 85.20 (1) (h) "Operating revenues" mean income accruing to an urban mass  
6 transit system by virtue of its operations, but do not include income accruing from  
7 operations under a contract awarded on the basis of competitive bids to a publicly  
8 owned urban mass transit system that did not use the fully allocated cost  
9 methodology described in sub. (8)."

10 \*b1066/3.2\* **671.** Page 967, line 24: after that line insert:

11 \*b1066/3.2\* "SECTION 1835b. 85.20 (3) (cr) of the statutes is amended to read:

12 85.20 (3) (cr) To conduct a management performance audit of all urban mass  
13 transit systems participating in the program at least once every 5 years. If a  
14 management performance audit is required of all urban mass transit systems  
15 participating in the program, an eligible applicant served exclusively by a  
16 shared-ride taxicab system may be exempted from an audit if the eligible applicant  
17 voluntarily complies with sub. (4m)(b)."

18 \*b0933/1.5\* **672.** Page 969, line 6: delete "\$53,555,600" and substitute  
19 "\$51,313,800".

20 \*b1066/3.4\* **673.** Page 969, line 14: delete "Beginning" and substitute  
21 "Subject to the limitation in this subd. 6. d. on the sum of state and federal aids,  
22 beginning".

23 \*b0933/1.6\* **674.** Page 969, line 15: delete "\$14,297,600" and substitute  
24 "\$13,699,100".

1           **\*b1066/3.5\* 675.** Page 969, line 18: after “\$80,000,000.” insert  
2 “Notwithstanding par. (a) (intro.), the sum of state aids paid under this section and  
3 federal mass transit aids provided for the operating expenses of an urban mass  
4 transit system that has annual operating expenses in excess of \$20,000,000 but less  
5 than \$80,000,000 may not exceed 50% of the sum of the operating expenses of the  
6 urban mass transit system. Only federal mass transit aid that the federal  
7 government provides directly to the eligible applicant or to the urbanized area served  
8 by the mass transit system or that the department pays under this section may be  
9 counted under this subd. 6. d.”

10           **\*b0933/1.7\* 676.** Page 969, line 25: delete “\$19,804,200” and substitute  
11 “\$18,975,200”.

12           **\*b1066/3.6\* 677.** Page 970, line 2: after “year.” insert “For calendar years  
13 2000 and 2001, the sum of state aid and federal aid allocated under this subdivision  
14 for each of those years may not exceed 60% of the eligible applicant’s operating  
15 expenses, except that for an eligible applicant described in subd. 7. a. served by a  
16 mass transit system that operates partly in areas other than urbanized areas, and  
17 that is eligible for federal mass transit aid for providing service to those other areas,  
18 the sum of state aid and federal aid allocated under this subdivision for those other  
19 areas for each of calendar years 2000 and 2001 may not exceed 65% of the operating  
20 expenses of that service. Beginning with calendar year 2002, the sum of state aid and  
21 federal aid allocated under this subdivision to an eligible applicant may not exceed  
22 65% of the eligible applicant’s operating expenses.”

23           **\*b0933/1.8\* 678.** Page 970, line 6: delete “\$5,349,100” and substitute  
24 “\$5,125,200”.

1           **\*b1066/3.7\* 679.** Page 970, line 8: after “year.” insert Beginning with  
2           calendar year 2000, the sum of state aid and federal aid allocated under this  
3           subdivision to an eligible applicant may not exceed 65% of the eligible applicant’s  
4           operating expenses.”.

5           **\*b1066/3.8\* 680.** Page 970, line 8: after that line insert:

6           **\*b1066/3.8\* SECTION 1845b.** 85.20 (4m) (b) 1. of the statutes is amended to  
7           read:

8           85.20 (4m) (b) 1. Except as provided in subd. 2., each eligible applicant shall  
9           provide a local contribution, exclusive of user fees, toward operating expenses in an  
10          amount equal to at least ~~20% of state aid allocations to that eligible applicant under~~  
11          ~~this section~~ 10% of the eligible applicant’s operating expenses.

12          **\*b1066/3.8\* SECTION 1846b.** 85.20 (4m) (b) 2. of the statutes is amended to  
13          read:

14          85.20 (4m) (b) 2. ~~Subdivision 1. does not apply to an~~ Except as provided in this  
15          subdivision, an eligible applicant that is served exclusively by a shared-ride taxicab  
16          system is not required to meet the requirements of subd. 1. For calendar year 2000,  
17          the department may not increase the amount of state aid allocated under this  
18          subsection to an eligible applicant that is served exclusively by a shared-ride taxicab  
19          system beyond the amount allocated to that eligible applicant for calendar year 1999,  
20          unless the eligible applicant provides a local contribution, exclusive of user fees,  
21          toward operating expenses in an amount equal to at least 5% of the eligible  
22          applicant’s operating expenses. Beginning with calendar year 2001, the department  
23          may not increase the amount of state aid allocated under this subsection to an  
24          eligible applicant that is served exclusively by a shared-ride taxicab system beyond



1 the amount allocated to that eligible applicant during the preceding calendar year,  
2 unless the eligible applicant complies with the requirements of subd. 1. This  
3 subdivision does not prohibit the department from allocating aid under this  
4 subsection to an eligible applicant served exclusively by a shared-ride taxicab  
5 system in its first year of service.

6 \*b1066/3.8\* SECTION 1847b. 85.20 (4m) (em) 3. of the statutes is amended to  
7 read:

8 85.20 (4m) (em) 3. Five times the amount of an eligible applicant's required  
9 local contribution under par. (b) 1. This subdivision does not apply after December  
10 31, 1999."

11 \*b1246/3.2\* **681.** Page 970, line 8: after that line insert:

12 \*b1246/3.2\* "SECTION 3845m. 85.20 (4m) (g) of the statutes is created to read:  
13 85.20 (4m) (g) An eligible applicant may not use aids paid under this section  
14 to support transportation services by rail unless the services are eligible for aid  
15 under s. 85.205. This paragraph does not apply to Amtrak, as defined in s. 85.06 (1)  
16 (a)."

17 \*b1065/2.1\* **682.** Page 971, line 10: after that line insert:

18 \*b1065/2.1\* "SECTION 1849d. 85.20 (6m) of the statutes is created to read:  
19 85.20 (6m) LOCAL SEGREGATED FUND REQUIRED. (a) Notwithstanding sub. (4m),  
20 the department may not pay state aid under this section to an eligible applicant  
21 unless the eligible applicant does all of the following:

22 1. Establishes and administers a separate segregated fund from which moneys  
23 may be used only for purposes related to a mass transit system.

24 2. Deposits in the fund established under subd. 1. all of the following:

1           a. All moneys received from this state and from the federal government for a  
2 mass transit system.

3           b. All local moneys required by this state, or by the federal government, to  
4 match moneys described under subd. 2. a. as a condition of receiving or expending  
5 those state or federal moneys.

6           c. All local moneys allocated for a mass transit system by the eligible applicant.

7           d. All moneys received from a local revenue source that is dedicated to a mass  
8 transit system.

9           3. Achieves in the fund established under subd. 1., during the year for which  
10 aid is payable under this section, a balance of moneys that is at least equal to the  
11 quotient determined under subd. 3. c. as follows:

12           a. Determine, for each of the preceding 5 years, the annual sum of deposits,  
13 made by the eligible applicant, of moneys described in subd. 2. c.

14           b. Add the 3 lowest annual totals determined under subd. 3. a.

15           c. Divide the sum determined under subd. 3. b. by 3.

16           (b) If an eligible applicant does not meet the requirements under par. (a) at the  
17 time that aid should be paid under this section, the department shall withhold the  
18 aid payment until the eligible applicant meets the requirements under par. (a).  
19 When the eligible applicant meets the requirements under par. (a), the department  
20 shall pay the aid withheld under this paragraph, without interest, except that, if the  
21 eligible applicant fails to meet the requirements under par. (a) within 180 days after  
22 the time that the aid should be paid, that aid is forfeited and may not be paid to that  
23 eligible applicant. Aid that is forfeited under this paragraph shall be counted under  
24 this section as if the aid had been paid.

25           (c) The department shall promulgate rules implementing this subsection.”.

1           **\*b1066/3.9\* 683.** Page 971, line 9: delete the material beginning with “This”  
2 and ending with “or 8.” on line 10.

3           **\*b0941/3.3\* 684.** Page 971, line 16: after that line insert:

4           **\*b0941/3.3\* “SECTION 1849gm.** 85.20 (8) of the statutes is created to read:

5           85.20 (8) FULLY ALLOCATED COST BIDDING. (intro.) If a local public body solicits  
6 bids to contract for services, the bids of a publicly owned urban mass transit system  
7 shall use a fully allocated cost methodology established by the department by rule.  
8 The fully allocated cost methodology shall do all of the following:

9           (a) Be based on generally accepted accounting principles.

10           (b) Consider all shared costs and direct costs of the mass transit system that  
11 are related to and support the service being considered. A publicly owned urban  
12 mass transit system’s costs include all subsidies provided to the system, including  
13 operating subsidies, capital grants and the use of public facilities.

14           (c) Assign each cost of a publicly owned urban mass transit system to one of the  
15 following categories:

16           1. Costs that depend on the number of vehicle hours operated, including  
17 operators’ salaries and fringe benefits.

18           2. Costs that depend on the number of vehicle miles traveled, including fuel  
19 costs, maintenance costs and maintenance personnel salaries and fringe benefits.

20           3. Costs that depend on the maximum number of vehicles that are in service  
21 during the day, including administrative and capital costs.”.

22           **\*b1246/3.3\* 685.** Page 971, line 16: after that line insert:

23           **\*b1246/3.3\* “SECTION 1849m.** 85.205 of the statutes is created to read:

1           **85.205 Prohibited expenditures for transportation by rail. (1)**  
2       Notwithstanding s. 85.20 (3), the department may not pay state aids for  
3       transportation services provided by rail unless the transportation services by rail are  
4       being constructed on the effective date of this subsection .... [revisor inserts date],  
5       and are providing services on or before April 1, 2000. This subsection does not apply  
6       to Amtrak, as defined in s. 85.06 (1) (a).

7           **(2)** Notwithstanding ss. 85.022, 85.062 and 85.063, the department may not  
8       expend any state funds for any purpose related to light rail. This subsection does not  
9       apply to any light rail system that is being constructed on the effective date of this  
10      subsection .... [revisor inserts date].”.

11           **\*b0921/3.2\* 686.** Page 972, line 10: after that line insert:

12           **\*b0921/3.2\* SECTION 1852g.** 85.243 (2) (a) of the statutes is amended to read:

13           85.243 (2) (a) The Subject to par. (am), the department shall administer a  
14       surface transportation discretionary grants program to promote the development  
15       and implementation of surface transportation projects that foster the diverse  
16       transportation needs of the people of this state. Annually, the department may make  
17       grants to eligible applicants for surface transportation projects that promote  
18       nonhighway use or that otherwise supplement existing transportation activities. A  
19       grant may not exceed 80% of the total cost of a project. The department shall give  
20       priority to funding projects that foster alternatives to single-occupancy automobile  
21       trips. In deciding whether to award a grant under this section, the department may  
22       consider whether other funding sources are available for the proposed project.

23           **\*b0921/3.2\* SECTION 1852gd.** 85.243 (2) (am) of the statutes is created to read:

1           85.243 (2) (am) The department may not approve a grant under par. (a) until  
2 after enactment of the biennial budget act for the biennium during which the grant  
3 will be awarded. The total amount of grants awarded under par. (a) may not exceed  
4 the amounts appropriated under s. 20.395 (2) (jq), (jv) and (jx) for the biennium  
5 during which the grants are awarded. If the department determines that a grant was  
6 awarded under par. (a) for a project on which construction will not be completed  
7 within a reasonable time after the grant is awarded, the department may withdraw  
8 that grant and the amount of the grant so withdrawn may not be counted under this  
9 paragraph.”.

10           **\*b0793/2.18\* 687.** Page 974, line 24: after that line insert:

11           **\*b0793/2.18\* “SECTION 1855t.** 86.21 (2) (a) of the statutes is amended to read:

12           86.21 (2) (a) Before any such toll bridge is constructed or acquired under this  
13 section, a resolution authorizing the construction or acquisition thereof, and  
14 specifying the method of payment therefor, shall be adopted by a majority of the  
15 members of the governing body of such county, town, village or city at a regular  
16 meeting, after publication of said resolution, as a class 2 notice, under ch. 985. The  
17 resolution shall include a general description of the property it is proposed to acquire  
18 or construct. Any county, town, village or city constructing or acquiring a toll bridge  
19 under this section may provide for the payment of the same or any part thereof from  
20 the general fund, from taxation, or from the proceeds of either municipal bonds,  
21 revenue bonds or as otherwise provided by law. Such resolution shall not be effective  
22 until 15 days after its passage and publication. If within said 15 days a petition  
23 conforming to the requirements of s. 8.40 is filed with the clerk of such municipality  
24 signed by at least 20% of the electors thereof requesting that the question of

1 acquiring such toll bridge be submitted to the said electors, such question shall be  
2 submitted at ~~any general or regular municipal~~ the next election authorized under s.  
3 8.065 (2) or an election authorized under s. 8.065 (3) that ~~may be~~ is held not less  
4 sooner than 10 nor more than 40 45 days from the date of filing such petition. ~~In case~~  
5 ~~no such general or regular municipal election is to be held within such stated period,~~  
6 ~~then the governing body of such municipality shall order a special election to be held~~  
7 ~~within 30 days from the filing of such petition upon the question of whether such toll~~  
8 ~~bridge shall be acquired by said municipality.~~ The question submitted to the electors  
9 shall specify the method of payment for such toll bridge as provided in the resolution  
10 for the acquisition thereof. If no such petition is filed, or if the majority of votes cast  
11 at such referendum election are in favor of the acquisition of such toll bridge, then  
12 the resolution of the governing body for the acquisition of such toll bridge shall be in  
13 effect.”.

14 \*b1069/2.6\* **688.** Page 974, line 24: after that line insert:

15 \*b1069/2.6\* “SECTION 1855rm. 86.255 of the statutes is created to read:

16 **86.255 Limitation on moneys used to purchase land remote from**  
17 **highway project.** (1) Notwithstanding ss. 84.09 and 86.25, beginning with  
18 purchase contracts executed on the effective date of this subsection .... [revisor  
19 inserts date], and with relocation orders initially filed under ch. 32 on the effective  
20 date of this subsection .... [revisor inserts date], the department may not encumber  
21 or expend any moneys from the appropriations under s. 20.395 (3) for purposes  
22 related to the purchase of land, easements, or development rights in land, unless the  
23 land or interest in land is purchased in association with a highway improvement

1 project and the land or interest in land is located within one-quarter mile of the  
2 centerline or proposed centerline of the highway.

3 (2) Subsection (1) does not apply to any of the following:

4 (a) The purchase of any ~~wetland~~<sup>land</sup>, as defined in s. 23.32 (1), that is acquired as  
5 compensatory mitigation for another wetland that will suffer an adverse impact by  
6 degradation or destruction as part of a highway project.

7 (b) The purchase of any land, easements, or development rights in land, under  
8 an agreement executed in the name of the department before the effective date of this  
9 paragraph .... [revisor inserts date], or under a relocation order filed under ch. 32  
10 before the effective date of this paragraph .... [revisor inserts date].”

11 \*b0905/3.3\* **689.** Page 975, line 1: delete “, sub. (10)”.

12 \*b0905/3.4\* **690.** Page 975, line 11: after “2000” insert “and thereafter”.

13 \*b0905/3.5\* **691.** Page 975, line 12: delete lines 12 and 13.

14 \*b0905/3.6\* **692.** Page 975, line 17: after “1999,” insert “and”.

15 \*b0905/3.7\* **693.** Page 975, line 18: delete “\$84,303,700 in calendar year  
16 2001 and”.

17 \*b0905/3.8\* **694.** Page 975, line 24: after “1999,” insert “and”.

18 \*b0905/3.9\* **695.** Page 975, line 25: delete “\$265,229,400 in calendar year  
19 2001 and”.

20 \*b0905/3.10\* **696.** Page 976, line 3: delete lines 3 to 23.

21 \*b1065/2.2\* **697.** Page 976, line 23: after that line insert:

22 \*b1065/2.2\* “SECTION 1863md. 86.30 (11) of the statutes is created to read:

1           86.30 (11) LOCAL SEGREGATED FUND REQUIRED. (a) Notwithstanding sub. (2), the  
2 department may not pay state aid under this section to a municipality or county  
3 unless the municipality or county does all of the following:

4           1. Establishes and administers a separate segregated fund from which moneys  
5 may be used only for purposes related to local highways.

6           2. Deposits in the fund established under subd. 1. all of the following:

7           a. All moneys received from this state and from the federal government for local  
8 highway purposes.

9           b. All local moneys required by this state, or by the federal government, to  
10 match moneys described under subd. 2. a. as a condition of receiving or expending  
11 those state or federal moneys.

12           c. All local moneys allocated for local highway purposes by the local governing  
13 body.

14           d. All moneys received from a local revenue source that is dedicated to local  
15 highways.

16           3. Achieves in the fund established under subd. 1., during the year for which  
17 aid is payable under this section, a balance of moneys that is at least equal to the  
18 quotient determined under subd. 3. c. as follows:

19           a. Determine, for each of the preceding 5 years, the annual sum of deposits,  
20 made by the municipality or county, of moneys described in subd. 2. c.

21           b. Add the 3 lowest annual totals determined under subd. 3. a.

22           c. Divide the sum determined under subd. 3. b. by 3.

23           (b) If a municipality or county does not meet the requirements under par. (a)  
24 at the time that aid should be paid under this section, the department shall withhold  
25 the aid payment until the municipality or county meets the requirements under par.



1 (a). When the municipality or county meets the requirements under par. (a), the  
2 department shall pay the aid withheld under this paragraph, without interest,  
3 except that, if the municipality or county fails to meet the requirements under par.  
4 (a) within 180 days after the time that the aid should be paid, that aid is forfeited and  
5 may not be paid to that municipality or county. Aid that is forfeited under this  
6 paragraph shall be counted under sub. (2) as if the aid had been paid.

7 (c) The department shall promulgate rules implementing this subsection.”.

8 \*b1067/4.3\* **698.** Page 978, line 13: before “The department” insert “Not later  
9 than December 15, 2001, and biennially thereafter, each municipality and county  
10 shall assess the physical condition of highways under its jurisdiction, using a  
11 pavement rating system approved by the department and report the results of that  
12 assessment to the department.”.

13 \*b1067/4.4\* **699.** Page 978, line 13: after “mileage” insert “or other data  
14 concerning highways”.

15 \*b1067/4.5\* **700.** Page 978, line 15: delete “mileage” and substitute “data”.

16 \*b1067/4.6\* **701.** Page 978, line 17: delete “jurisdictional mileage” and  
17 substitute “jurisdictional mileage”.

18 \*b1067/4.7\* **702.** Page 978, line 18: delete “determination efforts” and  
19 substitute “determination efforts under this subsection”.

20 \*b1067/4.8\* **703.** Page 978, line 19: delete “years.” and substitute “years  
21 Information collected under this subsection is inadmissible as evidence, except to  
22 show compliance with this subsection.”.

23 \*b0796/1.11\* **704.** Page 979, line 25: after that line insert:

24 \*b0796/1.11\* “**SECTION 1875d.** 86.31 (2) (b) of the statutes is amended to read:

1 86.31 (2) (b) Except as provided in par. (d), improvements for highway  
 2 construction projects funded under the program shall be under contracts. ~~Such The~~  
 3 contracts are subject to ss. 59.52 (29) (c), 60.47 (5m), 61.55 (3) and 62.15 (15). The  
 4 contracts shall be awarded on the basis of competitive bids and shall be awarded to  
 5 the lowest responsible bidder. If a city, ~~village or town~~ <sup>or village</sup> does not receive a responsible  
 6 bid for an improvement, the city, ~~village or town~~ <sup>or village</sup> may contract with a county for the  
 7 improvement."

8 \*b0895/2.1\* ~~705~~. Page 979, line 25: after that line insert: A town may contract with a county for the  
improvement subject to the criteria and  
procedures promul-  
gated as rules  
under

9 \*b0895/2.1\* "SECTION 1875cb. 86.31 (1) (am) of the statutes is amended to sub.  
 10 read: (6)(h).

11 86.31 (1) (am) "County highway improvement program district committee"  
 12 means a committee established by the department by rule under sub. (6) (f) <sup>score text</sup>  
 13 consisting of ~~not more than 5 county executives or county board chairpersons in~~  
 14 ~~counties that do not have county executives, or their designees, all of the county~~  
 15 highway commissioners from counties within a county highway improvement  
 16 program district.

17 \*b0895/2.1\* SECTION 1875cg. 86.31 (2) (b) of the statutes is amended to read:

18 86.31 (2) (b) Except as provided in par. (d), improvements for highway  
 19 construction projects funded under the program shall be under contracts. Such  
 20 contracts shall be awarded on the basis of competitive bids and shall be awarded to  
 21 the lowest responsible bidder. If a city, ~~village or town~~ or village does not receive a  
 22 responsible bid for an improvement, the city, ~~village or town~~ or village may contract  
 23 with a county for the improvement. A town may contract with a county for the

1 improvement subject to the criteria and procedures promulgated as rules under sub.  
2 (6) (h).

3 \*b0895/2.1\* SECTION 1875dc. 86.31 (2) (d) 1. of the statutes is repealed.

4 \*b0895/2.1\* SECTION 1875dd. 86.31 (2) (d) 1m. of the statutes is created to  
5 read:

6 86.31 (2) (d) 1m. The county highway department demonstrates that it is  
7 cost-effective for it to perform the work and that competitive bidding is to be used  
8 for improvements with an estimated total cost at least equal to the total funds  
9 allocated for its county trunk highway improvements under the program during the  
10 current biennium.

11 \*b0895/2.1\* SECTION 1875de. 86.31 (2) (d) 2. of the statutes is repealed.

12 \*b0895/2.1\* SECTION 1875df. 86.31 (2) (d) 3. of the statutes is repealed.

13 \*b0895/2.1\* SECTION 1875dg. 86.31 (2) (d) 5. of the statutes is renumbered  
14 86.31 (2) (d) 5. (intro.) and amended to read:

15 86.31 (2) (d) 5. (intro.) Each county highway improvement program district  
16 committee shall be responsible for ensuring compliance with this paragraph. do all  
17 of the following with respect to any work to be performed by any county highway  
18 department within the county highway improvement program district:

19 \*b0895/2.1\* SECTION 1875dh. 86.31 (2) (d) 5. a. and b. of the statutes are  
20 created to read:

21 86.31 (2) (d) 5. a. Review the proposed work and determine that it is  
22 cost-effective for the county highway department to perform the work.

23 b. Approve the proposed work prior to its being performed by the county  
24 highway department.”.

1           **\*b0759/1.3\* 706.** Page 980, line 6: after that line insert:

2           **\*b0759/1.3\* "SECTION 1876e.** 87.30 (1) (d) of the statutes is created to read:

3           87.30 (1) (d) For an amendment to a floodplain zoning ordinance that affects  
4 an activity that meets all of the requirements under s. 281.165 (1) to (5), the  
5 department may not proceed under this subsection, or otherwise review the  
6 amendment, to determine whether the ordinance, as amended, is insufficient.”.

7           **\*b0895/2.2\* 707.** Page 980, line 6: after that line insert:

8           **\*b0895/2.2\* "SECTION 1875gd.** 86.31 (6) (g) of the statutes is created to read:

9           86.31 (6) (g) Specific criteria for making determinations of cost-effectiveness  
10 under sub. (2) (d) 5. a. and procedures for review by the department of disputes  
11 relating to whether proposed work to be performed by a county highway department  
12 is cost-effective for purposes of sub. (2) (d) 5. a.

13           **\*b0895/2.2\* SECTION 1875ge.** 86.31 (6) (h) of the statutes is created to read:

14           86.31 (6) (h) Criteria and procedures for contracting with a county for a town  
15 road improvement that includes at least all of the following:

16           1. A requirement that a written and sealed estimate of the cost of the  
17 improvement that includes the source of the estimate be prepared prior to the time  
18 set for the opening of bids for the improvement and not be opened until after the  
19 opening of all bids.

20           2. A requirement that all bids may be rejected and the contract awarded to a  
21 county for the improvement if the lowest bid exceeds the cost estimate under subd.

22           1. by at least 10% and the town board notifies the 2 lowest bidders or, if only one bid  
23 was received, the bidder to provide information on the accuracy of the cost estimate  
24 under subd. 1.

1           3. A requirement that the amount of the contract with a county for the  
2 improvement be at least 10% below the lowest bid received for the improvement.

3           4. A provision that permits rebidding if the amount of the proposed contract  
4 with a county for the improvement is less than 10% below the lowest bid received for  
5 the improvement.”.

6           **\*b0902/2.5\* 708.** Page 980, line 6: after that line insert:

7           **\*b0902/2.5\* “SECTION 1876b.** 88.11 (1) (f) of the statutes is amended to read:  
8 88.11 (1) (f) Assist districts in applying for permits under ~~s. 88.31 chs. 30 and~~  
9 31 from the department of natural resources.

10          **\*b0902/2.5\* SECTION 1876m.** 88.11 (1) (i) of the statutes is amended to read:

11          88.11 (1) (i) Establish, by rule, performance standards for drainage district  
12 structures, ditches, maintenance and operations, in order to minimize adverse  
13 effects on water quality. ~~The performance standards shall be consistent with any~~  
14 ~~requirements imposed by the department of natural resources under s. 88.31.”.~~

15          **\*b0866/1.1\* 709.** Page 980, line 11: substitute “60%” for “40%”.

16          **\*b0900/2.8\* 710.** Page 980, line 17: after that line insert:

17          **\*b0900/2.8\* “SECTION 1909m.** 92.05 (3) (L) of the statutes is created to read:

18          92.05 (3) (L) *Technical assistance; performance standards.* The department  
19 shall provide technical assistance to county land conservation committees and local  
20 units of government for the development of ordinances that implement standards  
21 adopted under s. 92.07 (2), 92.105 (1), 92.15 (2) or (3) or 281.16 (3). The department’s  
22 technical assistance shall include preparing model ordinances, providing data  
23 concerning the standards and reviewing draft ordinances to determine whether the  
24 draft ordinances comply with applicable statutes and rules.”.

1           **\*b0902/2.6\* 711.** Page 980, line 17: after that line insert:

2           **\*b0902/2.6\*** “SECTION 1877c. 88.31 (title) of the statutes is amended to read:

3           **88.31** (title) ~~Special procedure in cases affecting~~ **Drainage work in**  
4 **navigable waters.**

5           **\*b0902/2.6\*** SECTION 1877d. 88.31 (1) to (7) of the statutes are repealed.

6           **\*b0902/2.6\*** SECTION 1877e. 88.31 (8) (intro.) of the statutes is amended to  
7 read:

8           88.31 (8) (intro.) Subject to other restrictions imposed by this chapter, a  
9 drainage board which has obtained ~~a permit under this chapter~~ **all of the permits**  
10 **required under chs. 30 and 31** may:

11           **\*b0902/2.6\*** SECTION 1877f. 88.35 (5m) of the statutes is repealed.

12           **\*b0902/2.6\*** SECTION 1877h. 88.35 (6) (intro.) of the statutes is amended to  
13 read:

14           88.35 (6) (intro.) Upon the completion of its duties under subs. (1) to ~~(5m)~~ (5),  
15 the board shall prepare a written report, including a copy of any maps, plans or  
16 profiles that it has prepared. The assessment of benefits and awards of damages  
17 shall be set forth in substantially the following form:

18           **\*b0902/2.6\*** SECTION 1877j. 88.62 (3) of the statutes is amended to read:

19           88.62 (3) If drainage work is undertaken in navigable waters, the drainage  
20 board shall obtain ~~a permit under s. 30.20 or 88.31 or ch. 31, as directed by the~~  
21 ~~department of natural resources~~ **any permit that is required under ch. 30 or 31.**

22           **\*b0902/2.6\*** SECTION 1877m. 88.72 (3) of the statutes is amended to read:

23           88.72 (3) At the hearing on the petition, any interested person may appear and  
24 contest its sufficiency and the necessity for the work. If the drainage board finds that

1 the petition has the proper number of signers and that to afford an adequate outlet  
2 it is necessary to remove dams or other obstructions from waters and streams which  
3 may be navigable, or to straighten, clean out, deepen or widen any waters or streams  
4 either within or beyond the limits of the district, the board shall ~~file an application~~  
5 ~~with the department of natural resources as provided in s. 30.20 or 88.31, as directed~~  
6 ~~by the department of natural resources. Thereafter, proceedings shall be had as~~  
7 ~~provided in s. 30.20 or 88.31 insofar as the same is applicable~~ obtain any permit that  
8 is required under ch. 30 or 31.

9 \*b0902/2.6\* **SECTION 1877p.** 88.72 (4) of the statutes is amended to read:

10 88.72 (4) Within 30 days after the department of natural resources has issued  
11 ~~a permit under s. 30.20 or 88.31~~ all of the permits as required under chs. 30 and 31,  
12 the board shall proceed to estimate the cost of the work, including the expenses of  
13 the proceeding together with the damages that will result from the work, and shall,  
14 within a reasonable time, award damages to all lands damaged by the work and  
15 assess the cost of the work against the lands in the district in proportion to the  
16 assessment of benefits then in force.”.

17 \*b0914/1.1\* **712.** Page 980, line 17: after that line insert:

18 \*b0914/1.1\* **SECTION 1903.** 91.75 (1) of the statutes is repealed and recreated  
19 to read:

20 91.75 (1) A minimum lot size is specified.”.

21 \*b0866/1.2\* **713.** Page 980, line 17: substitute “2006” for “2004”.

22 \*b0870/2.2\* **714.** Page 992, line 9: delete “amount”.

23 \*b0870/2.3\* **715.** Page 992, line 10: delete lines 10 and 11 and substitute  
24 “person is licensed under sub. (3).”.

1           **\*b0870/2.4\* 716.** Page 992, line 16: delete that line and substitute “grows  
2 nursery stock for sale.”.

3           **\*b0870/2.5\* 717.** Page 992, line 17: delete lines 17 to 19.

4           **\*b0870/2.6\* 718.** Page 992, line 20: delete that line and substitute ““Nursery”  
5 does not”.

6           **\*b0870/2.7\* 719.** Page 992, line 23: delete “or Christmas”.

7           **\*b0870/2.8\* 720.** Page 992, line 24: delete “tree grower”.

8           **\*b0870/2.9\* 721.** Page 993, line 10: delete that line.

9           **\*b0870/2.10\* 722.** Page 996, line 1: after “(c)” insert “and under par. (cm), if  
10 applicable”.

11           **\*b0870/2.11\* 723.** Page 996, line 6: after “(e)” insert “, plus the additional  
12 license fee under par. (cm), if applicable”.

13           **\*b0870/2.12\* 724.** Page 996, line 8: delete that line and substitute “stock,  
14 \$40.”.

15           **\*b0870/2.13\* 725.** Page 996, line 10: delete “and Christmas trees, \$100” and  
16 substitute “, \$75”.

17           **\*b0870/2.14\* 726.** Page 996, line 12: delete “and Christmas trees, \$200” and  
18 substitute “, \$125”.

19           **\*b0870/2.15\* 727.** Page 996, line 14: delete “and Christmas trees, \$400” and  
20 substitute “, \$200”.

21           **\*b0870/2.16\* 728.** Page 996, line 16: delete “and Christmas trees, \$600” and  
22 substitute “, \$350”.



1           **\*b0870/2.17\* 729.** Page 996, line 18: delete “and Christmas trees, \$1,200”  
2 and substitute “, \$600”.

3           **\*b0870/2.18\* 730.** Page 996, line 20: delete “and Christmas trees, \$2,400”  
4 and substitute “, \$1,200”.

5           **\*b0870/2.19\* 731.** Page 996, line 21: before that line insert:

6           “(cm) *Additional license fee for Christmas tree sales.* A nursery grower that  
7 sells Christmas trees shall pay the following additional license fee, based on annual  
8 sales calculated according to par. (e):

9           1. If the nursery grower annually sells no more than \$5,000 worth of Christmas  
10 trees, \$20.

11           2. If the nursery grower annually sells more than \$5,000 but not more than  
12 \$20,000 worth of Christmas trees, \$55.

13           3. If the nursery grower annually sells more than \$20,000 but not more than  
14 \$100,000 worth of Christmas trees, \$90.

15           4. If the nursery grower annually sells more than \$100,000 but not more than  
16 \$200,000 worth of Christmas trees, \$150.

17           5. If the nursery grower annually sells more than \$200,000 but not more than  
18 \$500,000 worth of Christmas trees, \$250.

19           6. If the nursery grower annually sells more than \$500,000 but not more than  
20 \$2,000,000 worth of Christmas trees, \$450.

21           7. If the nursery grower annually sells more than \$2,000,000 worth of  
22 Christmas trees, \$900.”.

23           **\*b0870/2.20\* 732.** Page 996, line 22: after “(c)” insert “and under par. (cm),  
24 if applicable”.

1           **\*b0870/2.21\* 733.** Page 997, line 4: delete “and”.

2           **\*b0870/2.22\* 734.** Page 997, line 5: delete “Christmas trees”.

3           **\*b0870/2.23\* 735.** Page 997, line 6: after “sales” insert “of nursery stock”.

4           **\*b0870/2.24\* 736.** Page 997, line 8: after the period insert “If par. (cm)  
5 applies to an applicant, the amount of the applicant’s additional license fee under  
6 par. (cm) for a license year shall be based on the applicant’s sales of Christmas trees  
7 during the applicant’s preceding fiscal year, except that if the applicant made no  
8 sales of Christmas trees during the preceding fiscal year the fee shall be based on the  
9 applicants good faith prediction of sales during the license year for which the  
10 applicant is applying.”.

11           **\*b0870/2.25\* 737.** Page 998, line 2: delete “or nursery stock”.

12           **\*b0870/2.26\* 738.** Page 998, line 3: delete “or nursery stock”.

13           **\*b0870/2.27\* 739.** Page 998, line 10: on lines 10, 12, 14, 16, 18, 20 and 22,  
14 delete “and nursery stock”.

15           **\*b0870/2.28\* 740.** Page 998, line 25: delete “and nursery stock”.

16           **\*b0870/2.29\* 741.** Page 999, line 5: delete “and nursery stock”.

17           **\*b0870/2.30\* 742.** Page 999, line 11: delete “or Christmas tree grower”.

18           **\*b0870/2.31\* 743.** Page 999, line 15: after that line insert:

19           “(c) The holder of a Christmas tree grower license shall notify the department  
20 in writing before adding, during the license year, any new location at which the  
21 license holder will grow evergreen trees for eventual sale as Christmas trees or hold  
22 Christmas trees for sale.”.

1           **\*b0870/2.32\* 744.** Page 1000, line 15: delete that line and substitute  
2 “nursery stock.”

3           **\*b0870/2.33\* 745.** Page 1002, line 9: delete that line and substitute “inspect  
4 premises at”.

5           **\*b0815/2.4\* 746.** Page 1006, line 16: delete lines 16 to 24.

6           **\*b0815/2.5\* 747.** Page 1007, line 1: delete lines 1 to 25.

7           **\*b0815/2.6\* 748.** Page 1008, line 1: delete lines 1 to 25.

8           **\*b0815/2.7\* 749.** Page 1009, line 1: delete lines 1 to 25.

9           **\*b0815/2.8\* 750.** Page 1010, line 1: delete lines 1 to 24.

10          **\*b0815/2.9\* 751.** Page 1011, line 1: delete lines 1 and 2.

11          **\*b0897/2.1\* 752.** Page 1012, line 20: after that line insert:

12          **\*b0897/2.1\* SECTION 1946m.** 97.30 (1) (bm) of the statutes is repealed and  
13 recreated to read:

14           97.30 (1) (bm) Except as provided by the department by rule, “potentially  
15 hazardous food” means a food that requires temperature control because it is in a  
16 form capable of supporting any of the following:

- 17           1. Rapid and progressive growth of infectious or toxigenic microorganisms.  
18           2. Growth and toxin production of *Clostridium botulinum*.  
19           3. In raw shell eggs, growth of *Salmonella enteritidis*.

20          **\*b0897/2.1\* SECTION 1946n.** 97.42 (4) (intro.) of the statutes is amended to  
21 read:

22           97.42 (4) RULES. (intro.) The department shall may issue reasonable rules  
23 requiring or prescribing any of the following:

1           **\*b0897/2.1\* SECTION 1946p.** 97.42 (4m) of the statutes is created to read:

2           97.42 (4m) FEDERAL REQUIREMENTS. Except as provided in rules promulgated  
3 under sub. (4), the operator of an establishment that is required to be licensed under  
4 this section shall comply with 9 CFR parts 307 to 311, 313 to 315, 317 to 319, 416 and  
5 417 and part 381 subparts G, H, I, J, K, L, O and P as they apply to federally licensed  
6 establishments.”.

7           **\*b0816/1.1\* 753.** Page 1014, line 6: after that line insert:

8           **\*b0816/1.1\* “SECTION 1952m.** 98.12 of the statutes is amended to read:

9           **98.12 ~~Standard containers; frozen desserts~~ Sale of ice cream and**  
10 **similar frozen products.** Ice cream, ice milk, water ices or other frozen desserts  
11 of a similar nature packaged prior to sale ~~may~~ shall be sold by liquid measure ~~only~~  
12 ~~and shall be packaged only in containers with capacities of one-half liquid pint, one~~  
13 ~~liquid pint, one liquid quart, or a multiple of one liquid quart.~~ This section does not  
14 apply if ~~such~~ the products are packaged at time of sale at retail or sold in quantities  
15 of less than one-half liquid pint.”.

16           **\*b0816/1.2\* 754.** Page 1014, line 10: after that line insert:

17           **\*b0816/1.2\* “SECTION 1953e.** 98.21 of the statutes is repealed and recreated  
18 to read:

19           **98.21 Sale of bread.** (1) Except as provided in sub. (2), no person may  
20 manufacture for sale in this state, offer to sell or sell bread unless the bread is sold  
21 by weight.

22           (2) Subsection (1) does not apply to stale bread if the bread is conspicuously  
23 marked “stale bread” or is placed in a container conspicuously marked “stale bread”  
24 and sold as and for stale bread.”.

1           **\*b1207/1.1\* 755.** Page 1015, line 9: delete the material beginning with that  
2 line and ending with page 1016, line 9.

3           **\*b0894/3.1\* 756.** Page 1017, line 24: after that line insert:

4           **\*b0894/3.1\* "SECTION 1975m.** 101.09 (2) (cm) of the statutes is created to read:  
5           101.09 (2) (cm) Any rules promulgated under sub. (3) requiring an owner to test  
6 the ability of a storage tank, connected piping or ancillary equipment to prevent an  
7 inadvertent release of a stored substance, requiring an owner to implement a  
8 program for determining whether a release of a stored substance has occurred or  
9 requiring an owner to permanently close or upgrade a storage tank do not apply to  
10 storage tanks that have a capacity of less than 1,100 gallons and that are used to  
11 store heating oil for residential, consumptive use on the premises where stored."

12           **\*b0828/2.9\* 757.** Page 1018, line 14: after that line insert:

13           **\*b0828/2.9\* "SECTION 1976r.** 101.123 (1) (b) of the statutes is amended to read:  
14           101.123 (1) (b) "Inpatient health care facility" means a county home  
15 established under s. 49.70, a county infirmary established under s. 49.72, or a  
16 community-based residential facility or a nursing home licensed under s. 50.03 or  
17 ~~a tuberculosis sanatorium established under s. 58.06, 252.073 or 252.076.~~"

18           **\*b1141/2.13\* 758.** Page 1018, line 14: after that line insert:

19           **\*b1141/2.13\* "SECTION 1978m.** 101.126 (1) (intro.) of the statutes is amended  
20 to read:

21           101.126 (1) (intro.) The department shall establish, by rule, requirements for  
22 a person engaging in any of the following to provide adequate space in or adjacent  
23 to the building for the separation, temporary storage and collection of the materials

1 listed in s. 287.07 (3), 1997 stats., or s. 287.07 (4), 1997 stats., likely to be generated  
2 by the occupants of the building.”.

3 \*b0937/2.1\* **759.** Page 1032, line 22: delete lines 22 to 25 and substitute:

4 “(g) 1. Subject to the limitation under subd. 2., the building commission shall  
5 contract revenue obligations under this subsection, as soon as practicable after the  
6 effective date of this subdivision ... [revisor inserts date], in the maximum amount  
7 that the building commission believes can be fully paid on a timely basis from moneys  
8 received or anticipated to be received.

9 2. Revenue obligations issued under this subsection may not”.

10 \*b0937/2.2\* **760.** Page 1033, line 6: delete lines 6 to 21.

11 \*b1141/2.14\* **761.** Page 1037, line 19: after that line insert:

12 \*b1141/2.14\* **SECTION 1998ae.** 101.578 (1) of the statutes is amended to read:  
13 101.578 (1) In this section, “medical waste incinerator” has the meaning given  
14 in s. 287.07 (7) (e) 1. ~~cr. (8) (a) 5.~~”.

15 \*b0982/3.9\* **762.** Page 1043, line 22: after that line insert:

16 “(1m) On the form or in the automated format for application for a certificate  
17 of title, the department may show the fee under s. 101.9208 (1) (dm) separately from  
18 the fee under s. 101.9208 (1) (a) or (d).”.

19 \*b0982/3.10\* **763.** Page 1047, line 4: before “The department” insert “(1)”.

20 \*b0982/3.11\* **764.** Page 1047, line 5: delete “(1)” and substitute “(a)”.

21 \*b0982/3.12\* **765.** Page 1047, line 7: delete “(2)” and substitute “(b)”.

22 \*b0982/3.13\* **766.** Page 1047, line 15: delete “(3)” and substitute “(c)”.

23 \*b0982/3.14\* **767.** Page 1047, line 17: delete “(4)” and substitute “(d)”.

1           **\*b0982/3.15\* 768.** Page 1047, line 18: after that line insert:

2           “(dm) Upon filing an application under par. (a) or (d), a supplemental title fee  
3 of \$7.50 by the owner of the mobile home, except that this fee shall be waived with  
4 respect to an application under par. (d) for transfer of a decedent’s interest in a mobile  
5 home to his or her surviving spouse. The fee specified under this paragraph is in  
6 addition to any other fee specified in this section.”.

7           **\*b0982/3.16\* 769.** Page 1047, line 19: delete “(6)” and substitute “(f)”.

8           **\*b0982/3.17\* 770.** Page 1047, line 21: delete “(7)” and substitute “(g)”.

9           **\*b0982/3.18\* 771.** Page 1047, line 22: delete “(8)” and substitute “(h)”.

10          **\*b0982/3.19\* 772.** Page 1048, line 1: delete “(9)” and substitute “(i)”.

11          **\*b0982/3.20\* 773.** Page 1048, line 3: delete “(10)” and substitute “(j)”.

12          **\*b0982/3.21\* 774.** Page 1048, line 4: after that line insert:

13          “(2) All fees collected under sub. (1), except fees collected under sub. (1) (b),  
14 shall be deposited in the transportation fund.”.

15          **\*b0982/3.22\* 775.** Page 1064, line 8: delete “retained” and substitute  
16 “deposited in the transportation fund, as required under s. 101.9208 (2)”.

17          **\*b0982/3.23\* 776.** Page 1070, line 8: after that line insert:

18          “(14) FEES TO TRANSPORTATION FUND. All moneys received as fees under this  
19 section shall be deposited in the transportation fund.”.

20          **\*b0828/2.10\* 777.** Page 1079, line 7: after that line insert:

21          **\*b0828/2.10\*** “SECTION 2000q. 102.26 (2m) of the statutes is repealed.”.

22          **\*b0828/2.11\* 778.** Page 1079, line 20: after that line insert:

23          **\*b0828/2.11\*** “SECTION 2003m. 102.42 (6) of the statutes is amended to read:

1           102.42 (6) TREATMENT REJECTED BY EMPLOYEE. Unless the employe shall have  
2           elected Christian Science treatment in lieu of medical, surgical, dental, or hospital  
3           ~~or sanatorium~~ treatment, no compensation shall be payable for the death or  
4           disability of an employe, if the death be caused, or insofar as the disability may be  
5           aggravated, caused or continued by an unreasonable refusal or neglect to submit to  
6           or follow any competent and reasonable medical, surgical or dental treatment or, in  
7           the case of tuberculosis, by refusal or neglect to submit to or follow hospital ~~or~~  
8           sanatorium or medical treatment when found by the department to be necessary.  
9           The right to compensation accruing during a period of refusal or neglect to submit  
10          to or follow hospital ~~or sanatorium~~ or medical treatment when found by the  
11          department to be necessary in the case of tuberculosis shall be barred, irrespective  
12          of whether disability was aggravated, caused or continued thereby.”.

13           **\*b0801/1.1\* 779.** Page 1080, line 2: after that line insert:

14           **\*b0801/1.1\* SECTION 2005dd.** 103.21 (1) of the statutes is amended to read:  
15           103.21 (1) Every minor selling or distributing newspapers, shoppers guides or  
16           magazines on the streets any street or other public place, or from house to house, is  
17           in an “employment” and an “~~employe,~~” “employee”; and each independent news  
18           agency or (in or, in the absence of all such agencies), each selling agency of a publisher  
19           ~~or (in or, in~~ the absence of all such agencies), each publisher, whose newspapers,  
20           shoppers guides or magazines the minor sells or distributes, is an “employer” of the  
21           minor. Every minor engaged in any other street trade is in an “employment” and an  
22           ~~“employe,”~~ “employee”; and each person furnishing the minor articles for sale or  
23           distribution or regularly furnishing the minor material for blacking boots is the  
24           minor’s “employer”.



1           **\*b0801/1.1\* SECTION 2005dg.** 103.21 (1v) of the statutes is created to read:

2           103.21 (1v) “Newspaper” means a publication that is printed and distributed  
3 at daily, weekly or other short, periodic intervals for the dissemination of current  
4 news and information of a general character and of a general interest to the public.

5           **\*b0801/1.1\* SECTION 2005dj.** 103.21 (5r) of the statutes is created to read:

6           103.21 (5r) “Shoppers guide” has the meaning given in s. 77.54 (15).

7           **\*b0801/1.1\* SECTION 2005dm.** 103.21 (6) of the statutes is amended to read:

8           103.21 (6) “Street trade” means the selling, offering for sale, soliciting for,  
9 collecting for, displaying or distributing any articles, goods, merchandise,  
10 commercial service, posters, circulars, newspapers, shoppers guides or magazines,  
11 or the blacking of boots, on any street or other public place or from house to house.

12           **\*b0801/1.1\* SECTION 2005dp.** 103.23 (2) of the statutes is renumbered 103.23  
13 (2) (a).

14           **\*b0801/1.1\* SECTION 4.** 103.23 (2) (b) of the statutes is created to read:

15           103.23 (2) (b) A minor who is 11 years of age or over may be employed or  
16 permitted to work in the sale or distribution of newspapers or shoppers guides.

17           **\*b0801/1.1\* SECTION 2005dt.** 103.25 (3m) (c) of the statutes is amended to  
18 read:

19           103.25 (3m) (c) This subsection does not apply to employment of a minor by a  
20 newspaper or shoppers guide publisher or in a fund-raising sale for a nonprofit  
21 organization, a public school or a private school.

22           **\*b0801/1.1\* SECTION 2005dv.** 103.275 (8) of the statutes is amended to read:

23           103.275 (8) EXCEPTION. This section does not apply to the employment of a  
24 minor by a newspaper or shoppers guide publisher or in a fund-raising sale for a  
25 nonprofit organization, a public school or a private school.

1           **\*b0801/1.1\* SECTION 2005dx.** 103.30 of the statutes is amended to read:

2           **103.30 Penalty on newspapers and shoppers guides for allowing**  
3 **minors to loiter around premises.** A newspaper or shoppers guide publisher or  
4 printer or person having for sale or distribution newspapers, shoppers guides or  
5 magazines ~~shall~~ may not permit any minor under 18 years of age to loiter or remain  
6 around any premises where the newspapers, shoppers guides or magazines are  
7 printed, assembled, prepared for sale or distribution, distributed or sold when the  
8 minor is required under s. 118.15 to attend school. Any person violating this section  
9 is subject to the penalties specified in s. 103.29.”.

10           **\*b0800/1.2\* 780.** Page 1080, line 3: delete lines 3 to 24.

11           **\*b0801/1.2\* 781.** Page 1080, line 24: after that line insert:

12           **\*b0801/1.2\* “SECTION 2005hd.** 103.64 (1v) of the statutes is created to read:  
13           103.64 (1v) “Newspaper” means a publication that is printed and distributed  
14 at daily, weekly or other short, periodic intervals for the dissemination of current  
15 news and information of a general character and of a general interest to the public.

16           **\*b0801/1.2\* SECTION 2005hg.** 103.64 (6) of the statutes is created to read:  
17           103.64 (6) “Shoppers guide” has the meaning given in s. 77.54 (15).

18           **\*b0801/1.2\* SECTION 2005hj.** 103.67 (2) (c) of the statutes is amended to read:  
19           103.67 (2) (c) Minors 11 years of age or older may be employed in the sale or  
20 distribution of newspapers or shoppers guides, minors 12 years of age or older may  
21 be employed in other street trades, and any minor may work in fund-raising sales  
22 for nonprofit organizations, public schools or private schools, as provided in ss.  
23 103.21 to 103.31.

1           **\*b0801/1.2\* SECTION 2005hm.** 103.71 (2) (a) of the statutes is renumbered  
2 103.71 (2) (a) (intro.) and amended to read:

3           103.71 (2) (a) (intro.) The employment of minors 11 to 13 years of age as follows:  
4           1. As ball monitors at high school football games as provided in s. 103.67 (2) (i).

5           **\*b0801/1.2\* SECTION 2005hp.** 103.71 (2) (a) 2. of the statutes is created to read:  
6           103.71 (2) (a) 2. In the sale or distribution of newspapers or shoppers guides  
7 as provided in s. 103.67 (2) (c).

8           **\*b0801/1.2\* SECTION 2005hr.** 103.71 (2) (b) (intro.) of the statutes is amended  
9 to read:

10           103.71 (2) (b) (intro.) The employment of minors 12 years of age and over as  
11 follows:

12           **\*b0801/1.2\* SECTION 2005ht.** 103.81 (1) of the statutes is amended to read:

13           103.81 (1) During the term that the public schools are in session, ~~a person shall~~  
14 ~~not~~ no person may advertise or cause or permit any advertisement to be published  
15 in any newspaper or shoppers guide for the labor or services of any minor during  
16 school hours in any employment for which a child labor permit is required under s.  
17 103.70 which does not specifically state the minimum age of the minor whose services  
18 are desired, which age must be 18 years or over.”.

19           **\*b0804/2.5\* 782.** Page 1083, line 8: delete lines 8 to 17 and substitute:

20           **\*b0804/2.5\* “SECTION 2017d.** 106.13 (1) of the statutes is renumbered 106.13  
21 (1) (intro.) and amended to read:

22           106.13 (1) (intro.) The ~~department~~ board shall provide a all of the following:  
23           (a) A youth apprenticeship program and a that includes the grant programs  
24 under subs. (3) and (4).

1           (b) ~~A school-to-work program in accordance with 20 USC 6101 to 6251 that~~  
2           ~~includes the school-to-work program for children at risk under sub. (4m).~~

3           **\*b0804/2.5\* SECTION 2017g.** 106.13 (1) (c) of the statutes is created to read:

4           106.13 (1) (c) A work-based learning program for youths who are eligible to  
5           receive temporary assistance for needy families under 42 USC 601 to 619 that  
6           includes a component that would permit a participant to earn a youth apprenticeship  
7           skills certificate through participation in that program if the participant meets the  
8           requirements for earning that certificate.

9           **\*b0804/2.5\* SECTION 2017j.** 106.13 (1) (d) of the statutes is created to read:

10           106.13 (1) (d) A work-based learning program for students of a tribal college  
11           as provided under sub. (4r).”.

12           **\*b0804/2.6\* 783.** Page 1086, line 7: after that line insert:

13           **\*b0804/2.6\* “SECTION 2023m.** 106.13 (4r) of the statutes is created to read:

14           106.13 (4r) From the appropriation under s. 20.445 (7) (kd), the board may  
15           award a grant to an applying tribal college that is recognized as a land grant college  
16           under 7 USC 301, as amended to October 20, 1994, for the provision of work-based  
17           learning programs for students of the tribal college if the board approves the  
18           application of the tribal college.”.

19           **\*b0713/1.1\* 784.** Page 1092, line 20: after that line insert:

20           **\*b0713/1.1\* “SECTION 2033p.** 111.35 (2) (d) of the statutes is amended to read:

21           111.35 (2) (d) Constitutes a violation of s. ~~938.983~~ 254.92 (2).”.

22           **\*b0727/1.1\* 785.** Page 1092, line 20: after that line insert:

23           **\*b0727/1.1\* “SECTION 2033r.** 111.70 (1) (a) of the statutes is amended to read:

24           **\*b0727/1.1\* SECTION 5.** 111.70 (1) (a) of the statutes is amended to read:

1           111.70 (1) (a) “Collective bargaining” means the performance of the mutual  
2 obligation of a municipal employer, through its officers and agents, and the  
3 representative of its municipal employes in a collective bargaining unit, to meet and  
4 confer at reasonable times, in good faith, with the intention of reaching an  
5 agreement, or to resolve questions arising under such an agreement, with respect to  
6 wages, hours and conditions of employment, and with respect to a requirement of the  
7 municipal employer for a municipal employe to perform law enforcement and fire  
8 fighting services under s. 61.66, except as provided in sub. (4) (m) and (o) and s. 40.81  
9 (3) and except that a municipal employer shall not meet and confer with respect to  
10 any proposal to diminish or abridge the rights guaranteed to municipal employes  
11 under ch. 164. The duty to bargain, however, does not compel either party to agree  
12 to a proposal or require the making of a concession. Collective bargaining includes  
13 the reduction of any agreement reached to a written and signed document. The  
14 municipal employer shall not be required to bargain on subjects reserved to  
15 management and direction of the governmental unit except insofar as the manner  
16 of exercise of such functions affects the wages, hours and conditions of employment  
17 of the municipal employes in a collective bargaining unit. In creating this subchapter  
18 the legislature recognizes that the municipal employer must exercise its powers and  
19 responsibilities to act for the government and good order of the jurisdiction which it  
20 serves, its commercial benefit and the health, safety and welfare of the public to  
21 assure orderly operations and functions within its jurisdiction, subject to those  
22 rights secured to municipal employes by the constitutions of this state and of the  
23 United States and by this subchapter.”

24           **\*b0725/1.3\* 786.** Page 1093, line 2: after that line insert:

1           **\*b0725/1.3\* SECTION 2034p.** 111.91 (2) (r) of the statutes is created to read:  
2           111.91 (2) (r) The definition of “dependent” in s. 40.02 (20) and the restrictions  
3           on the scope of insurance coverage specified in s. 40.56.”.

4           **\*b0727/1.2\* 787.** Page 1093, line 2: after that line insert:

5           **\*b0727/1.2\* SECTION 2035m.** 111.70 (4) (o) of the statutes is created to read:  
6           111.70 (4) (o) *Permissive subjects of collective bargaining.* In a school district,  
7           the municipal employer is not required to bargain collectively with respect to the  
8           establishment of the school calendar. This paragraph shall not be construed to  
9           eliminate a school district’s duty to bargain collectively with the recognized or  
10          certified representative of school district employes in a collective bargaining unit  
11          concerning the total number of days of work and the number of those days which are  
12          allocated to different purposes such as days on which school is taught, in-service  
13          days, staff preparation days, convention days, paid holidays and parent-teacher  
14          conference days, and to bargain collectively with that representative with regard to  
15          the impact of the school calendar on wages, hours and conditions of employment.”.

16          **\*b1203/1.2\* 788.** Page 1093, line 2: after that line insert:

17          **\*b1203/1.2\* SECTION 2036r.** 111.91 (2) (nm) of the statutes is created to read:  
18          111.91 (2) (nm) The prohibition under s. 632.872 related to denying payment  
19          for certain procedures.”.

20          **\*b0738/1.1\* 789.** Page 1094, line 22: after that line insert:

21          **\*b0738/1.1\* SECTION 2042m.** 115.28 (42) of the statutes is created to read:  
22          115.28 (42) DIRECT INSTRUCTION PROGRAM. From the appropriation under s.  
23          20.255 (1) (me), award a grant of \$280,000 annually in the 1999–2000, 2000–01,  
24          2001–02 and 2002–03 fiscal years to the University of Wisconsin–Milwaukee to

1 conduct a direct instruction pilot program. The purpose of the program shall be to  
2 determine the efficiency of direct instruction in improving the ability of children to  
3 read. By August 1 of 2000, 2001, 2002 and 2003, the University of  
4 Wisconsin–Milwaukee shall submit a report to the appropriate standing committees  
5 of the legislature under s. 13.172, and to the state superintendent, that describes the  
6 findings and conclusions of the study.”.

7 **\*b0892/4.21\* 790.** Page 1094, line 22: after that line insert:

8 **\*b0892/4.21\* “SECTION 2042g.** 115.31 (1)(b) of the statutes is amended to read:

9 115.31 (1) (b) “Educational agency” means a school district, cooperative  
10 educational service agency, state correctional institution under s. 302.01, secured  
11 correctional facility, as defined in s. 938.02 (15m), secured child caring institution,  
12 as defined in s. 938.02 (15g), the ~~Wisconsin school for the visually handicapped~~  
13 Wisconsin Center for the Blind and Visually Impaired, the ~~Wisconsin school~~ School  
14 ~~for the deaf~~ Deaf, the Mendota mental health institute, the Winnebago mental health  
15 institute, a state center for the developmentally disabled, a private school or a  
16 private, nonprofit, nonsectarian agency under contract with a school board under s.  
17 118.153 (3) (c).”.

18 **\*b1104/3.3\* 791.** Page 1094, line 22: after that line insert:

19 **\*b1104/3.3\* “SECTION 2042g.** 115.28 (43) of the statutes is created to read:

20 115.28 (43) SCHOOL SAFETY FUNDING. With the department of justice, seek and  
21 apply for federal funds relating to school safety and reducing violence and disruption  
22 in schools, including funds for alternative schools or programs. Each department  
23 shall make a report by January 1, 2001, and January 1, 2003, of its progress in  
24 applying for and obtaining funds under this subsection. The report shall be provided

1 to the legislature in the manner provided under s. 13.172 (2) to the cochairpersons  
2 of the joint committee on finance and to the governor.”.

3 \*b0892/4.22\* **792.** Page 1096, line 8: after that line insert:

4 \*b0892/4.22\* **SECTION 2047g.** 115.37 of the statutes is repealed and recreated  
5 to read:

6 **115.37 Blind and visual impairment education council.** (1) In this  
7 section:

8 (a) “Council” means the blind and visual impairment education council.

9 (b) “Visually impaired” has the meaning given in s. 115.51 (4).

10 (2) The state superintendent shall seek the advice of and consult with the  
11 council on issues related to persons who are visually impaired. The state  
12 superintendent and the director of the Wisconsin Center for the Blind and Visually  
13 Impaired, or their designees, shall attend meetings of the council.

14 (3) The council shall do all of the following:

15 (a) Meet at least twice each year.

16 (b) Advise the state superintendent on such statewide services, activities,  
17 programs, investigations and research as in its judgment will benefit pupils who are  
18 visually impaired.

19 (c) Make recommendations for the improvement of services provided by the  
20 Wisconsin Center for the Blind and Visually Impaired.

21 (d) Review the level and quality of services available to pupils in the state who  
22 are visually impaired and make recommendations about those services.

23 (e) Propose to the state superintendent ways to improve the preparation of  
24 teachers and other staff who provide services to pupils who are visually impaired.



1 (f) Propose to the state superintendent ways to improve coordination between  
2 the department and other agencies in providing services to persons who are visually  
3 impaired.

4 (4) The council may initiate consultations with the department.

5 (5) The council shall have access to public files, public records and statistics  
6 kept in the department that relate to matters concerning children who are visually  
7 impaired.”.

8 \*b1104/3.4\* **793.** Page 1096, line 8: after that line insert:

9 \*b1104/3.4\* “**SECTION 2048m.** 115.38 (1) (b) of the statutes is renumbered  
10 115.38 (1) (b) 1. and amended to read:

11 115.38 (1) (b) 1. Other indicators of school and school district performance,  
12 including dropout, attendance, retention in grade and graduation rates; ~~numbers of~~  
13 ~~suspensions and expulsions~~; percentage of habitual truants, as defined in s. 118.16  
14 (1) (a); percentage of pupils participating in extracurricular and community  
15 activities and advanced placement courses; percentage of graduates enrolled in  
16 postsecondary educational programs; and percentage of graduates entering the  
17 workforce.

18 \*b1104/3.4\* **SECTION 2048t.** 115.38 (1) (b) 2. of the statutes is created to read:

19 115.38 (1) (b) 2. The numbers of suspensions and expulsions; the reasons for  
20 which pupils are suspended or expelled, reported according to categories specified by  
21 the state superintendent; the length of time for which pupils are expelled, reported  
22 according to categories specified by the state superintendent; whether pupils return  
23 to school after their expulsion; the educational programs and services, if any,  
24 provided to pupils during their expulsions, reported according to categories specified

1 by the state superintendent; the schools attended by pupils who are suspended or  
2 expelled; and the grade, sex and ethnicity of pupils who are suspended or expelled  
3 and whether the pupils are children with disabilities, as defined in s. 115.76 (5).”.

4 \*b0892/4.23\* **794.** Page 1097, line 2: after that line insert:

5 \*b0892/4.23\* “**SECTION 2053b.** Subchapter III (title) of chapter 115 [precedes  
6 115.51] of the statutes is amended to read:

7 **CHAPTER 115**

8 **SUBCHAPTER III**

9 **STATE SCHOOLS SCHOOL FOR THE**

10 **DEAF AND STATE CENTER FOR THE**

11 **BLIND AND VISUALLY IMPAIRED**

12 \*b0892/4.23\* **SECTION 2053c.** 115.51 (1) of the statutes is repealed.

13 \*b0892/4.23\* **SECTION 2053d.** 115.51 (3) and (4) of the statutes are created to  
14 read:

15 115.51 (3) “Local educational agency” has the meaning given in s. 115.76 (10).

16 (4) “Visually impaired” means loss of vision or blindness as described in the  
17 rule promulgated by the state superintendent to define “visual impairments” for the  
18 purposes of s. 115.76 (5) (a) 4.

19 \*b0892/4.23\* **SECTION 2053f.** 115.52 of the statutes is amended to read:

20 **115.52 Wisconsin schools School for the ~~visually handicapped and the~~**  
21 **~~deaf Deaf.~~** (1) The object of the ~~Wisconsin school for the visually handicapped and~~  
22 **the Wisconsin school School for the deaf Deaf** is to afford persons ~~with visual~~  
23 ~~impairments and persons with hearing impairments~~ a practical education and

1 physical rehabilitation which may aid them to make a living, discharge their duties  
2 as citizens and secure to them all possible happiness.

3 (2) The state superintendent shall maintain and govern the ~~school for the~~  
4 ~~visually handicapped and the school~~ School for the deaf Deaf. The state  
5 superintendent may fix the period of the school year at the ~~schools~~ school at not less  
6 than 38 weeks, prescribe the school terms and confer diplomas upon meritorious  
7 pupils who have completed the prescribed curricula.

8 (3) All the ~~blind and the~~ deaf residents of this state 6 to 20 years old, and for  
9 the duration of a school term all the ~~blind or~~ deaf residents of this state who become  
10 21 years old during that school term, who are capable of receiving instruction shall  
11 be received and taught in the ~~schools~~ School for the Deaf free of charge. Like  
12 nonresident pupils also may be received upon payment in advance of the fees fixed  
13 by the state superintendent at an amount not less than \$75 per month, but no  
14 nonresident shall be received to the exclusion of a resident pupil. The state  
15 superintendent also may admit pupils who are 21 years of age or older prior to the  
16 beginning of a school term upon the payment of fees fixed by the superintendent and  
17 upon the recommendation of the secretary of health and family services, the director  
18 of the technical college system or the superintendent of the ~~school to which the pupil~~  
19 ~~will be assigned~~ School for the Deaf. All pupils shall equally and freely enjoy the  
20 benefits and privileges of the ~~schools~~ school and have the use of the library and books  
21 of instruction and receive board, lodging and laundry, without discrimination. The  
22 ~~schools~~ school may provide transportation for resident pupils.

23 (5) The state superintendent may grant approval for the maintenance of a  
24 summer school at the ~~school~~ School for the deaf Deaf whenever it will be to the  
25 advantage of persons with hearing impairments ~~and may grant approval for the~~

1 ~~maintenance of a summer school at the school for the visually handicapped whenever~~  
2 ~~it will be to the advantage of children with visual impairments. There shall be a~~  
3 ~~summer school each year at the school for the visually handicapped for adults with~~  
4 ~~visual impairments.~~

5 (6) The state superintendent may make charges for meals, living quarters,  
6 laundry and other services furnished to employes of the ~~schools~~ School for the Deaf  
7 and their families. The state superintendent also may make charges for services  
8 furnished to visitors at the ~~schools~~ school and participants in training programs and  
9 institutes.

10 (7) The Wisconsin ~~school~~ School for the deaf Deaf may provide instruction for  
11 preschool children with hearing impairments and their parents. ~~The Wisconsin~~  
12 ~~school for the visually handicapped may provide instruction for preschool children~~  
13 ~~with visual impairments and their parents.~~ Such instruction or treatment shall be  
14 subject to the approval of, and shall comply with requirements established by, the  
15 department.

16 \*b0892/4.23\* SECTION 2053h. 115.525 of the statutes is created to read:

17 **115.525 Wisconsin Center for the Blind and Visually Impaired. (1)**  
18 DEFINITION. In this section, “center” means the Wisconsin Center for the Blind and  
19 Visually Impaired.

20 (1m) PURPOSE. The purpose of the center is to serve as a statewide educational  
21 resource relating to visual impairments to benefit all Wisconsin children who are  
22 visually impaired.

23 (2) GOVERNANCE. The state superintendent shall maintain and govern the  
24 center. The state superintendent shall appoint an individual who has training and

1 experience in educating pupils who are visually impaired to serve as the director of  
2 the center.

3 (3) SERVICES. The center shall provide services that benefit children  
4 throughout the state who are visually impaired.

5 (a) *School.* 1. 'Residents 3 to 20 years old.' The center shall operate a school  
6 at which any resident of this state 3 to 20 years old who is visually impaired, and for  
7 the duration of a school term any resident of this state who is visually impaired and  
8 becomes 21 years old during that school term, shall be received and taught free of  
9 charge if the individualized education program for the resident under s. 115.787 and  
10 the educational placement under s. 115.79 specify the school operated by the center  
11 as the appropriate placement.

12 2. 'Residents 21 years old or older.' The state superintendent may admit to the  
13 school operated by the center a resident of the state who is visually impaired and is  
14 21 years of age or older prior to the beginning of a school term upon the payment of  
15 fees fixed by the state superintendent and upon the recommendation of the secretary  
16 of health and family services, the director of the technical college system or the  
17 director of the center.

18 3. 'Nonresidents.' A nonresident of this state, who is visually impaired, who  
19 either is 3 to 20 years old or becomes 21 years old during a school term, whose  
20 individualized education program under 20 USC 1414(d) and educational placement  
21 specify the school operated by the center as the appropriate placement and who is  
22 capable of receiving instruction may be received at the school upon payment in  
23 advance of the fees fixed by the state superintendent, but no nonresident may be  
24 received to the exclusion of a resident pupil.

1           4. ‘Pupil use of residential facilities.’ Except as provided in sub. (4), the director  
2 of the center shall make the residential facilities at the center available to all pupils  
3 received at the school operated by the center.

4           5. ‘School term.’ The state superintendent shall fix the period of the school term  
5 at the school operated by the center at not less than 38 weeks, prescribe the school  
6 sessions and confer diplomas upon meritorious pupils who have completed the  
7 prescribed curriculum. Pursuant to a pupil’s individualized education program  
8 under s. 115.787, a pupil may be placed at the school for less than a school term.

9           6. ‘Transportation.’ The center may provide transportation for resident pupils  
10 at the school operated by the center.

11           (b) *Other statewide services.* The center may do any of the following:

12           1. Provide testing, evaluation and assessment services to assist local  
13 educational agencies, cooperative educational service agencies and county children  
14 with disabilities education boards.

15           2. Provide technical assistance and consultation services to entities such as  
16 local educational agencies, cooperative educational service agencies, county children  
17 with disabilities education boards and private schools.

18           3. Develop and disseminate curriculum and instructional materials.

19           4. Provide in service and other training to teachers and other staff serving  
20 pupils who are visually impaired.

21           5. Provide training, technical assistance and consultation services for parents  
22 of children who are visually impaired and for professionals who work with children  
23 who are visually impaired.

24           6. Provide materials in braille, large print and other appropriate formats to  
25 children who are visually impaired.

1           7. Train teachers and braillists about braille codes and formats used by  
2 individuals who are visually impaired.

3           8. Loan books and other materials from the library described in par. (c) 2.

4           9. Serve as a clearinghouse for information about children who are visually  
5 impaired, including information related to library resources, adapted materials and  
6 current research.

7           10. Assist in providing assistive technology services, as defined in s. 115.76 (2),  
8 for pupils who are visually impaired.

9           11. Lend, rent or lease technological materials and assistive technology  
10 devices, as defined in s. 115.76 (1), to local educational agencies, cooperative  
11 educational service agencies and county children with disabilities education boards.

12           12. Facilitate the preparation of teachers of pupils who are visually impaired  
13 by providing assistance to teacher preparation programs.

14           13. Coordinate and collaborate with public and private agencies and  
15 organizations that provide services to individuals who are visually impaired,  
16 including the development of employment skills and opportunities.

17           14. Provide other statewide services that relate to the education of children who  
18 are visually impaired.

19           (c) *Additional services.* 1. 'Birth to 2 services.' The center may provide  
20 instruction or services, or both, for children who are under the age of 2 and are  
21 visually impaired and their parents. The instruction or services are subject to the  
22 approval of, and shall comply with requirements established by, the department.

23           2. 'Library.' Embossed, clear type or large type books acquired by the center  
24 constitute a circulating collection for persons who are visually impaired. The  
25 collection shall be kept at the center and be under the supervision of its director. All

1 school age children of the state who are visually impaired may use such books upon  
2 compliance with criteria established by the director of the center and approved by  
3 the state superintendent.

4 3. 'Summer programs.' The center shall provide summer programs each year  
5 for children who are visually impaired.

6 4. 'Adult summer program.' The center shall provide a summer program each  
7 year for adults who are visually impaired. The state superintendent may contract  
8 with other entities to provide this program.

9 5. 'Independent living skills.' With the approval of the state superintendent,  
10 the center may use state-owned housing on the grounds of the center in Janesville  
11 as a facility in which individuals receive instruction in and practice independent  
12 living skills.

13 (d) *Provision of services.* In addition to providing services at the center's facility  
14 in Janesville, the center may provide services at any location in the state and may  
15 operate regional satellite facilities throughout the state to provide services.

16 (4) **NONDISCRIMINATION.** All pupils at the center may equally and freely enjoy  
17 the benefits and privileges of the center, have the use of the library and books of  
18 instruction and receive board, lodging and laundry, without discrimination, except  
19 that the director of the center may determine that board, lodging and laundry may  
20 not be provided to an individual because appropriate services are not available for  
21 that individual at the center's residential facilities.

22 (5) **CHARGES.** The state superintendent may charge for meals, living quarters,  
23 laundry and other services furnished to employes of the center and their families.  
24 The state superintendent may charge for services furnished to visitors at the center  
25 and participants in training programs and institutes.



1           **(6) LEASING OF SPACE.** The state superintendent may lease space at the center  
2 in Janesville that is not required by the center to any person if the state  
3 superintendent determines that the use will not be inconsistent with the operation  
4 of the center.

5           **(7) AUDIT.** In the 2002–03 fiscal year, the legislative audit bureau shall perform  
6 a performance evaluation audit of the center. The bureau shall submit copies of the  
7 audit report to the chief clerk of each house of the legislature for distribution to the  
8 appropriate standing committees under s. 13.172 (3) by June 30, 2003.

9           **\*b0892/4.23\* SECTION 2053j.** 115.53 (2) of the statutes is amended to read:

10           **115.53 (2)** Arrange for vocational, trade or academic training for any pupil in  
11 either ~~state school~~ the school operated by the Wisconsin Center for the Blind and  
12 Visually Impaired or the Wisconsin School for the Deaf qualified to take such  
13 training advantageously, in either a public school or technical college or a private  
14 business establishment in Janesville or Delavan. The public school and the technical  
15 college shall be paid the regular tuition for full-time attendance and proportionally  
16 for part-time attendance by the school district responsible for the provision of a free  
17 appropriate public education under subch. V.

18           **\*b0892/4.23\* SECTION 2053k.** 115.53 (3) of the statutes is renumbered 115.53  
19 (3) (a) and amended to read:

20           **115.53 (3) (a)** Arrange for otological or ophthalmic examination of any pupil or  
21 prospective pupil of the schools Wisconsin School for the Deaf. The examination shall  
22 be paid for from the appropriation in s. 20.255 (1) (b), (gh) or (gs).

23           **\*b0892/4.23\* SECTION 2053L.** 115.53 (3) (b) of the statutes is created to read:

24           **115.53 (3) (b)** Arrange for ophthalmic or otological examination of any pupil or  
25 prospective pupil of the school operated by the Wisconsin Center for the Blind and

1 Visually Impaired. The examination shall be paid from the appropriation in s. 20.255  
2 (1) (b), (gh), (gL) or (gs).

3 \*b0892/4.23\* SECTION 2053m. 115.53 (4) and (5) of the statutes are amended  
4 to read:

5 115.53 (4) Apply to the board of directors of the University of Wisconsin  
6 Hospitals and Clinics Authority for admission to the University of Wisconsin  
7 Hospitals and Clinics of any pupil ~~in~~ at the state schools Wisconsin School for the  
8 Deaf or the school operated by the Wisconsin Center for the Blind and Visually  
9 Impaired.

10 (a) The application shall be accompanied by the report of a physician appointed  
11 by the ~~appropriate school~~ superintendent of the Wisconsin School for the Deaf or the  
12 director of the Wisconsin Center for the Blind and Visually Impaired and shall be in  
13 the same form as reports of other physicians for admission of patients to such  
14 hospital.

15 (b) The net cost of hospital treatment shall be at the rate established under s.  
16 233.40 (1) and shall be ~~chargeable to~~ paid from the appropriation ~~for operating the~~  
17 ~~patient's school~~ under s. 20.255 (1) (b), (gh) or (gs) if the patient is a pupil at the  
18 Wisconsin School for the Deaf or from the appropriation under s. 20.255 (1) (b), (gh),  
19 (gL) or (gs) if the patient is a pupil at the school operated by the Wisconsin Center  
20 for the Blind and Visually Impaired. The state superintendent likewise may  
21 authorize payment for the expense of transporting patients to and from the hospital.  
22 The state superintendent shall make payments for the treatment to the University  
23 of Wisconsin Hospitals and Clinics Authority. Funds collected by the state  
24 superintendent on account of the hospitalization shall be ~~deposited in~~ credited to the  
25 appropriation under s. 20.255 (1) ~~(b)~~ (gh) for the school or center concerned.

1           (5) Arrange for visits by members of the staff of either ~~school~~ the Wisconsin  
2 School for the Deaf or the Wisconsin Center for the Blind and Visually Impaired to  
3 other public schools or to families of ~~blind or~~ deaf children or children who are  
4 visually impaired, whenever it appears to the state superintendent that such visits  
5 will be of advantage to ~~blind or deaf~~ such children.

6           **\*b0892/4.23\* SECTION 2053p.** 115.54 of the statutes is amended to read:

7           **115.54 Compulsory education.** If it appears, by affidavit, to any circuit  
8 judge that any ~~blind or~~ deaf child or child who is visually impaired between the ages  
9 of 6 and 21 is deprived of a suitable education by the failure of the person having the  
10 care and custody of the child to provide a suitable education, the judge shall order  
11 the person to bring the child before the judge. If the material allegations of the  
12 affidavit are denied, the judge shall subpoena witnesses and hear testimony. If the  
13 allegations are admitted or established, the judge may order the child sent to the  
14 ~~school~~ Wisconsin School for the visually handicapped or for the deaf Deaf, the school  
15 operated by the Wisconsin Center for the Blind and Visually Impaired or to some  
16 class or other school for instruction, but the order ~~shall~~ may not make a direct charge  
17 for the class or school against any county.

18           **\*b0892/4.23\* SECTION 2053q.** 115.55 of the statutes is repealed.

19           **\*b0892/4.23\* SECTION 2053r.** 115.58 of the statutes is amended to read:

20           **115.58 Park grounds.** The state superintendent may permit the city of  
21 Janesville to use portions of the grounds of the ~~state school for the visually~~  
22 ~~handicapped~~ Wisconsin Center for the Blind and Visually Impaired at Janesville,  
23 which abut on the Rock river, for purposes of operating a city park. Any construction  
24 on such grounds is subject to prior approval by the state superintendent. Any  
25 agreement pursuant hereto shall be cancelable at the option of either party without

1 liability. Any such grounds so used by the city of Janesville shall be supervised by  
2 the city and shall be subject to the ordinances of the city of Janesville applicable to  
3 city parks.”.

4 \*b1105/1.1\* **795.** Page 1097, line 14: delete “An” and substitute “(1) Except  
5 as provided in sub. (2), an”.

6 \*b1105/1.2\* **796.** Page 1097, line 16: after that line insert:

7 “(2) The board of directors of the school district operating under ch. 119 is a  
8 local educational agency under this section and shall comply with 20 USC 1400 to  
9 1491o if the board of directors enters into an agreement with an operator of a charter  
10 school under s. 118.40 (2r) under which the board of directors agrees to serve as the  
11 local educational agency.”.

12 \*b0773/2.26\* **797.** Page 1101, line 16: after that line insert:

13 \*b0773/2.26\* **SECTION 2063p.** 115.92 (1) of the statutes is amended to read:

14 115.92 (1) Any school board may establish a program for school age parents  
15 who are residents of the school district. The program shall be designed to provide  
16 services and instruction to meet the needs of school age parents, including education  
17 on the skills required of a parent; ~~family planning, as defined in s. 253.07 (1) (a),~~  
18 ~~including natural family planning;~~ and instruction on adoption and adoption  
19 services. The instruction provided on adoption and adoption services shall include  
20 instruction on the options available and the procedures followed in independent and  
21 agency adoptions, including current practices regarding a birth parent’s  
22 involvement in the selection of an adoptive home and the sharing of information  
23 between birth parents and adoptive parents, instruction on the impact of adoption  
24 on birth parents and children who have been adopted and an explanation that the

1 adoption process may be initiated even after a child has been born and has left the  
2 hospital. The program shall be coordinated with existing vocational and job training  
3 programs in the school district.”.

4 \*b0773/2.27\* **798.** Page 1102, line 25: after that line insert:

5 \*b0773/2.27\* “SECTION 2067n. 118.019 (2) (e) of the statutes is amended to  
6 read:

7 118.019 (2) (e) Human sexuality; reproduction; ~~family planning, as defined in~~  
8 ~~s. 253.07 (1) (a), including natural family planning;~~ human immunodeficiency virus  
9 and acquired immunodeficiency syndrome; prenatal development; childbirth;  
10 adoption; available prenatal and postnatal support; and male responsibility.”.

11 \*b0793/2.19\* **799.** Page 1102, line 25: after that line insert:

12 \*b0793/2.19\* “SECTION 2065q. 117.20 of the statutes is amended to read:

13 **117.20 Referendum procedures.** (1) If a referendum is required under ss.  
14 117.08 to 117.11, it shall be held on the Tuesday after the first Monday in November  
15 occurring not sooner than 45 days following receipt of the petition or adoption of the  
16 resolution under s. 117.08 (3) (a), 117.09 (3) (a), 117.10 (3) (a) or 117.11 (4) (a). If a  
17 referendum is required under s. 117.105, it shall be held on the Tuesday after the first  
18 Monday in the 2nd November occurring not sooner than 45 days following receipt of  
19 the petition or adoption of the resolution under s. 117.105 (1).

20 (2) The clerk of each affected school district shall publish notice, as required  
21 under s. ~~8.55~~ 10.06 (4), in the territory of that school district. The procedures for  
22 school board elections under s. 120.06 (5), (9), (11), (13) and (14) apply to a  
23 referendum held under this section. The school board and school district clerk of each  
24 affected school district shall each perform, for that school district, the functions

1 assigned to the school board and the school district clerk, respectively, under those  
2 subsections. The form of the ballot shall correspond to the form prescribed by the  
3 elections board under ss. 5.64 (2) and 7.08 (1) (a). The clerk of each affected school  
4 district shall file with the secretary of the board a certified statement prepared by  
5 the school district board of canvassers of the results of the referendum in that school  
6 district.”.

7 \*b0803/3.13\* **800.** Page 1102, line 25: after that line insert:

8 \*b0803/3.13\* “SECTION 2067d. 118.125 (4) of the statutes is amended to read:

9 118.125 (4) TRANSFER OF RECORDS. Within 5 working days, a school district shall  
10 transfer to another school or school district all pupil records relating to a specific  
11 pupil if the transferring school district has received written notice from the pupil if  
12 he or she is an adult or his or her parent or guardian if the pupil is a minor that the  
13 pupil intends to enroll in the other school or school district or written notice from the  
14 other school or school district that the pupil has enrolled or from a court that the pupil  
15 has been placed in a juvenile secured correctional facility ~~or, as defined in s. 938.02~~  
16 (15m), a secured child caring institution, as defined in s. 938.02 (15g), or a secured  
17 group home, as defined in s. 938.02 (15p). In this subsection, “school” and “school  
18 district” include any juvenile secured correctional facility, secured child caring  
19 institution ~~as defined in s. 938.02 (15g)~~, secured group home, adult correctional  
20 institution, mental health institute or center for the developmentally disabled, that  
21 provides an educational program for its residents instead of or in addition to that  
22 which is provided by public and private schools.”.

23 \*b1104/3.5\* **801.** Page 1103, line 16: after that line insert:

24 \*b1104/3.5\* “SECTION 2068m. 118.16 (1m) of the statutes is created to read:

1           118.16 **(1m)** The period during which a pupil is absent from school due to a  
2 suspension or expulsion under s. 120.13 or 119.25 is neither an absence without an  
3 acceptable excuse for the purposes of sub. (1) (a) nor an absence without legal cause  
4 for the purposes of sub. (1) (c).

5           **\*b1104/3.5\* SECTION 2068r.** 118.175 of the statutes is created to read:

6           **118.175 Pupils without parents or guardians; report required.** (1) This  
7 section does not apply to a pupil who has a legal custodian, as defined in s. 48.02 (11)  
8 or 938.02 (11), or who is cared for by a kinship care relative, as defined in s. 48.57 (3m)  
9 (a).

10           **(2)** If a pupil is a child who is without a parent or guardian, any school teacher,  
11 school administrator, school counselor or school social worker who knows that the  
12 child is without a parent or guardian shall report that fact as soon as possible to the  
13 county department under s. 46.22 or 46.23 or, in a county having a population of  
14 500,000 or more, to the department of health and family services.”.

15           **\*b0796/1.12\* 802.** Page 1104, line 5: after that line insert:

16           **\*b0796/1.12\* “SECTION 2070m.** 118.265 of the statutes is created to read:

17           **118.265 Contracts with labor organizations.** (1) In this section, “labor  
18 organization” has the meaning given in s. 5.02 (8m).

19           **(2)** The school board shall ensure that the specifications for bids and contracts  
20 for construction projects entered into by the school board do not do any of the  
21 following:

22           (a) Require any bidder, contractor or subcontractor to enter into or to adhere  
23 to an agreement with any labor organization concerning services to be performed in  
24 relation to the project or a related project.

1 (b) Discriminate against any bidder, contractor or subcontractor for refusing  
2 to enter into or continue to adhere to an agreement with any labor organization  
3 concerning services to be performed in relation to the project or a related project.

4 (c) Require any bidder, contractor or subcontractor to enter into, continue to  
5 adhere to or enforce any agreement that requires its employees, as a condition of  
6 employment, to do any of the following:

7 1. Become members of or become affiliated with a labor organization.

8 2. Make payments to a labor organization, without the authorization of the  
9 employees, exceeding the employees' proportionate share of the cost of collective  
10 bargaining, contract administration and grievance adjustment.

11 (3) Any taxpayer of this state or any other person who enters into contracts or  
12 subcontracts for building construction services may bring an action to require  
13 compliance with sub. (2). If that person prevails in his or her action, the court shall  
14 award to that person reasonable actual attorney fees in addition to other costs  
15 allowed to prevailing parties under ch. 814.”

16 \*b0891/1.1\* **803.** Page 1108, line 25: substitute “be” for “include”.

17 \*b0891/1.2\* **804.** Page 1109, line 3: delete the material beginning with “, and”  
18 and ending with “board” on line 4 and substitute “, which shall be based solely on the  
19 pupil’s academic performance”.

20 \*b0891/1.3\* **805.** Page 1109, line 15: substitute “be” for “include”.

21 \*b0891/1.4\* **806.** Page 1109, line 18: delete the material beginning with “,  
22 and” and ending with “school” on line 19 and substitute “, which shall be based solely  
23 on the pupil’s academic performance”.

24 \*b1111/2.2\* **807.** Page 1111, line 15: after “paid” insert “per pupil”.



1           **\*b0796/1.13\* 808.** Page 1117, line 12: after that line insert:

2           **\*b0796/1.13\* "SECTION 2108a.** 119.04 (1) of the statutes is amended to read:

3           119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.03 (3) (c),  
4           115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343, 115.345, 115.361, 115.38  
5           (2), 115.45, 118.001 to 118.04, 118.06, 118.07, 118.10, 118.12, 118.125 to 118.14,  
6           118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18, 118.19,  
7           118.20, 118.24 (1), (2) (c) to (f), (6) and (8), 118.245, 118.255, 118.258, 118.265, 118.30  
8           to 118.43, 118.51, 118.52, 118.55, 120.12 (5) and (15) to (25), 120.125, 120.13 (1), (2)  
9           (b) to (g), (3), (14), (17) to (19), (26), (34) and (35) and 120.14 are applicable to a 1st  
10          class city school district and board."

11          **\*b0996/2.3\* 809.** Page 1117, line 12: after that line insert:

12          **\*b0996/2.3\* "SECTION 2109c.** 119.23 (1) of the statutes is renumbered 119.23  
13          (1) (intro.) and amended to read:

14          119.23 (1) (intro.) In this section, "~~membership~~":

15          (a) "Membership" has the meaning given in s. 121.004 (5).

16          **\*b0996/2.3\* SECTION 2109g.** 119.23 (1) (b) and (c) of the statutes are created  
17          to read:

18          119.23 (1) (b) "Summer average daily membership equivalent" has the  
19          meaning given in s. 121.004 (8).

20          (c) "Summer choice average daily membership equivalent" means the summer  
21          average daily membership equivalent of pupils who were attending a private school  
22          under this section on the 2nd Friday of January of the school term immediately  
23          preceding that summer or whose applications have been accepted under sub. (3) for

1 attendance at the private school in the school term immediately following that  
2 summer.”.

3 \*b1104/3.6\* **810.** Page 1117, line 12: after that line insert:

4 \*b1104/3.6\* “SECTION 2108m. 119.04 (1) of the statutes is amended to read:

5 119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.03 (3) (c),

6 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343, 115.345, 115.361, 115.38

7 (2), 115.45, 118.001 to 118.04, 118.06, 118.07, 118.10, 118.12, 118.125 to 118.14,

8 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18, 118.19,

9 118.20, 118.24 (1), (2) (c) to (f), (6) and (8), 118.245, 118.255, 118.258, <sup>118.265</sup> 118.30 to 118.43,

10 118.51, 118.52, 118.55, 120.12 (5) and (15) to ~~(25)~~ (26), 120.125, 120.13 (1), (2) (b) to

11 (g), (3), (14), (17) to (19), (26), (34) and (35) and 120.14 are applicable to a 1st class

12 city school district and board.”.

13 \*b0996/2.4\* **811.** Page 1117, line 20: before “(intro.)” insert “(b)”.

14 \*b0996/2.5\* **812.** Page 1117, line 22: after “(4)” insert “(b)”.

15 \*b0996/2.6\* **813.** Page 1117, line 23: after “school” insert “during a school  
16 term”.

17 \*b0996/2.7\* **814.** Page 1118, line 3: delete “(a)”.

18 \*b0996/2.8\* **815.** Page 1118, line 8: delete “(b)” and substitute “(c)”.

19 \*b0996/2.9\* **816.** Page 1118, line 8: delete “(a)” and substitute “(b)”.

20 \*b0996/2.10\* **817.** Page 1118, line 9: after “May.” insert “The state  
21 superintendent may include the entire amount under sub. (4m) in one of those  
22 instalments or apportion the entire amount among one or more of those  
23 instalments.”.

1           **\*b0996/2.11\* 818.** Page 1118, line 11: after that line insert:

2           **\*b0996/2.11\* "SECTION 2109q.** 119.23 (4) (a) of the statutes is created to read:

3           119.23 (4) (a) Annually, on or before October 15, a private school participating  
4           in the program under this section shall file with the department a report stating its  
5           summer average daily membership equivalent and its summer choice average daily  
6           membership equivalent for the purpose of sub. (4m).”.

7           **\*b0996/2.12\* 819.** Page 1118, line 12: substitute “(b)” for “(a)”.

8           **\*b0996/2.13\* 820.** Page 1118, line 13: substitute “(b)” for “(a)”.

9           ~~**\*b0996/2.14\* 821.** Page 1118, line 14: after “paid” insert “per pupil”.~~

10           **\*b0996/2.15\* 822.** Page 1118, line 14: after that line insert:

11           **\*b0996/2.15\* "SECTION 2109s.** 119.23 (4m) of the statutes is created to read:

12           119.23 (4m) Beginning in the 1999–2000 school year, in addition to the  
13           payment under sub. (4) the state superintendent shall pay to the parent or guardian  
14           of each pupil enrolled in a private school under this section, in the manner described  
15           in sub. (4) (c), an amount determined by multiplying the payment under sub. (4) by  
16           the quotient determined by dividing the summer choice average daily membership  
17           equivalent of the private school by the total number of pupils for whom payments are  
18           being made under sub. (4).”.

19           **\*b1111/2.3\* 823.** Page 1118, line 14: after “paid” insert “per pupil”.

20           **\*b0793/2.20\* 824.** Page 1119, line 8: after that line insert:

21           **\*b0793/2.20\* "SECTION 2114a.** 119.48 (4) (b) and (c) of the statutes are  
22           amended to read:

1           119.48 (4) (b) The communication shall state the purposes for which the funds  
2 from the increase in the levy rate will be used and shall request the common council  
3 to submit to the voters of the city the question of exceeding the levy rate specified in  
4 s. 65.07 (1) (f) at the ~~September election or a special~~ an election authorized under s.  
5 8.065.

6           (c) Upon receipt of the communication, the common council shall cause the  
7 question of exceeding the levy rate specified under s. 65.07 (1) (f) to be submitted to  
8 the voters of the city at the ~~September election or at a special~~ next election authorized  
9 under s. 8.065 (2) or an election authorized under s. 8.065 (3) to be held not sooner  
10 than 45 days after receipt of the communication. The question of exceeding the levy  
11 rate specified under s. 65.07 (1) (f) shall be submitted upon a separate ballot or in  
12 some other manner so that the vote upon exceeding the levy rate specified in s. 65.07  
13 (1) (f) is taken separately from any other question submitted to the voters. If a  
14 majority of the electors voting on the question favors exceeding the levy rate specified  
15 under s. 65.07 (1) (f), the common council shall approve the increase in the levy rate  
16 and shall levy and collect a tax equal to the amount of money approved by the  
17 electors.

18           **\*b0793/2.20\* SECTION 2116a.** 119.49 (1) (b) of the statutes is amended to read:

19           119.49 (1) (b) The communication shall state the amount of funds needed under  
20 par. (a) and the purposes for which the funds will be used and shall request the  
21 common council to submit to the voters of the city at the next election authorized  
22 under s. 8.065 (2) or an election authorized under s. 8.065 (3) to be held in the city  
23 not sooner than 45 days after receipt of the communication the question of issuing  
24 school bonds in the amount and for the purposes stated in the communication.

25           **\*b0793/2.20\* SECTION 2116b.** 119.49 (2) of the statutes is amended to read:

1           119.49 (2) Upon receipt of the communication, the common council shall cause  
2 the question of issuing such school bonds in the stated amount and for the stated  
3 school purposes to be submitted to the voters of the city at the next election ~~held in~~  
4 ~~the city~~ authorized under s. 8.065 (2) or an election authorized under s. 8.065 (3) that  
5 occurs not sooner than 45 days after the date of receipt of the communication. The  
6 question of issuing such school bonds shall be submitted upon a separate ballot or  
7 in some other manner so that the vote upon issuing such school bonds is taken  
8 separately from any other question submitted to the voters. If a majority of the  
9 electors voting on the school bond question favors issuing such school bonds, the  
10 common council shall cause the school bonds to be issued immediately or within the  
11 period permitted by law, in the amount requested by the board and in the manner  
12 other bonds are issued.”.

13           **\*b0727/1.3\* 825.** Page 1121, line 18: after that line insert:

14           **\*b0727/1.3\* “SECTION 2124m.** 120.12 (15) of the statutes is amended to read:

15           120.12 (15) SCHOOL HOURS. Establish rules scheduling the hours of a normal  
16 school day. The school board may differentiate between the various elementary and  
17 high school grades in scheduling the school day. The equivalent of 180 such days, as  
18 defined in s. 115.01 (10), shall be held during the school term. ~~This subsection shall~~  
19 ~~not be construed to eliminate a school district’s duty to bargain with the employe’s~~  
20 ~~collective bargaining representative over any calendaring proposal which is~~  
21 ~~primarily related to wages, hours and conditions of employment.”.~~

22           **\*b1104/3.7\* 826.** Page 1121, line 18: after that line insert:

23           **\*b1104/3.7\* “SECTION 2124m.** 120.12 (26) of the statutes is created to read:

1           120.12 (26) SCHOOL SAFETY PLANS. Have in effect a school safety plan for each  
2 school in the school district.

3           **\*b1104/3.7\* SECTION 2124t.** 120.13 (1) (b) of the statutes is amended to read:

4           120.13 (1) (b) The school district administrator or any principal or teacher  
5 designated by the school district administrator also may make rules, with the  
6 consent of the school board, and may suspend a pupil for not more than 5 school days  
7 or, if a notice of expulsion hearing has been sent under par. (c) 4 or (e) 4. or s. 119.25  
8 (2) (c), for not more than a total of 15 consecutive school days for noncompliance with  
9 such rules or school board rules, or for knowingly conveying any threat or false  
10 information concerning an attempt or alleged attempt being made or to be made to  
11 destroy any school property by means of explosives, for conduct by the pupil while  
12 at school or while under the supervision of a school authority which endangers the  
13 property, health or safety of others, or for conduct while not at school or while not  
14 under the supervision of a school authority which endangers the property, health or  
15 safety of others at school or under the supervision of a school authority or endangers  
16 the property, health or safety of any employe or school board member of the school  
17 district in which the pupil is enrolled. In this paragraph, conduct that endangers a  
18 person or property includes making a threat to the health or safety of a person or  
19 making a threat to damage property. Prior to any suspension, the pupil shall be  
20 advised of the reason for the proposed suspension. The pupil may be suspended if  
21 it is determined that the pupil is guilty of noncompliance with such rule, or of the  
22 conduct charged, and that the pupil's suspension is reasonably justified. The parent  
23 or guardian of a suspended minor pupil shall be given prompt notice of the  
24 suspension and the reason for the suspension. The suspended pupil or the pupil's  
25 parent or guardian may, within 5 school days following the commencement of the

1 suspension, have a conference with the school district administrator or his or her  
2 designee who shall be someone other than a principal, administrator or teacher in  
3 the suspended pupil's school. If the school district administrator or his or her  
4 designee finds that the pupil was suspended unfairly or unjustly, or that the  
5 suspension was inappropriate, given the nature of the alleged offense, or that the  
6 pupil suffered undue consequences or penalties as a result of the suspension,  
7 reference to the suspension on the pupil's school record shall be expunged. Such  
8 finding shall be made within 15 days of the conference. A pupil suspended under this  
9 paragraph shall not be denied the opportunity to take any quarterly, semester or  
10 grading period examinations or to complete course work missed during the  
11 suspension period, as provided in the attendance policy established under s. 118.16  
12 (4) (a).

13 **\*b1104/3.7\* SECTION 2124u.** 120.13 (1)(c) 1. of the statutes is amended to read:

14 120.13 (1) (c) 1. The school board may expel a pupil from school whenever it  
15 finds the pupil guilty of repeated refusal or neglect to obey the rules, or finds that a  
16 pupil knowingly conveyed or caused to be conveyed any threat or false information  
17 concerning an attempt or alleged attempt being made or to be made to destroy any  
18 school property by means of explosives, or finds that the pupil engaged in conduct  
19 while at school or while under the supervision of a school authority which  
20 endangered the property, health or safety of others, or finds that a pupil while not  
21 at school or while not under the supervision of a school authority engaged in conduct  
22 which endangered the property, health or safety of others at school or under the  
23 supervision of a school authority or endangered the property, health or safety of any  
24 employe or school board member of the school district in which the pupil is enrolled,  
25 and is satisfied that the interest of the school demands the pupil's expulsion. In this

1 subdivision, conduct that endangers a person or property includes making a threat  
2 to the health or safety of a person or making a threat to damage property.”

3 \*b1144/1.7\* **827.** Page 1121, line 18: after that line insert:

4 \*b1144/1.7\* “SECTION 2124m. 120.13 (14) of the statutes is amended to read:

5 120.13 (14) DAY CARE PROGRAMS. Establish and provide or contract for the  
6 provision of day care programs for children. The school board may receive federal  
7 or state funds for this purpose. The school board may charge a fee for all or part of  
8 the cost of the service for participation in a day care program established under this  
9 subsection. Costs associated with a day care program under this subsection may not  
10 be included in shared costs under s. 121.07 (6). Day care programs established under  
11 this subsection shall meet the standards for licensed day care centers established by  
12 the department of health and family services. If a school board proposes to contract  
13 for or renew a contract for the provision of a day care program under this subsection  
14 or if on July 1, 1996, a school board is a party to a contract for the provision of a day  
15 care program under this subsection, the school board shall refer the contractor or  
16 proposed contractor to the department of health and family services for the criminal  
17 history and child abuse record search required under s. 48.685. Each school board  
18 shall provide the department of health and family services with information about  
19 each person who is denied a contract for a reason specified in s. 48.685 (2) (4m) (a)  
20 1. to 5.”.

21 \*b1110/2.2\* **828.** Page 1122, line 21: delete lines 21 and 22 and substitute

22 “follows or, if appropriate, as a number equal to the result obtained by multiplying  
23 the following number by the appropriate fraction under par. (c), (cm) or (d):

24 1. In the 1999–2000 school year, 1.0 pupil.



1           2. In the 2000–01 school year, 0.75 pupil.

2           3. In the 2001–02 school year, 0.50 pupil.

3           4. In the 2002–03 school year, 0.25 pupil.

4           5. In the 2003–04 school year and thereafter, 0 pupil.”.

5           **\*b0736/1.1\* 829.** Page 1122, line 22: after that line insert:

6           **\*b0736/1.1\* “SECTION 2128m.** 121.02 (1) (L) 5. of the statutes is repealed.”.

7           **\*b0996/2.16\* 830.** Page 1122, line 22: after that line insert:

8           **\*b0996/2.16\* “SECTION 2128m.** 121.004 (8) of the statutes is amended to read:

9           121.004 (8) SUMMER AVERAGE DAILY MEMBERSHIP EQUIVALENT. “Summer average  
10          daily membership equivalent” is the ~~sum of all~~ total number of minutes in which  
11          pupils are enrolled in academic summer classroom classes or laboratory periods in  
12          ~~which each pupil is enrolled as determined by multiplying the total number of~~  
13          ~~periods in each day in which the pupil is enrolled by the total number of days for~~  
14          ~~which the pupil is enrolled, as defined by the state superintendent under s. 121.14,~~  
15          divided by ~~1,080~~ 48,600.”.

16          **\*b0892/4.24\* 831.** Page 1123, line 7: after that line insert:

17          **\*b0892/4.24\* “SECTION 2131d.** 121.05 (1) (a) 8. of the statutes is amended to  
18          read:

19          121.05 (1) (a) 8. Pupils enrolled in ~~a residential school operated by the state~~ the  
20          Wisconsin School for the Deaf or the school operated by the Wisconsin Center for the  
21          Blind and Visually Impaired under subch. III of ch. 115 for whom the school district  
22          is paying tuition under s. 115.53 (2) determined by multiplying the total number of  
23          periods in each day in which the pupils are enrolled in the local public school by the

1 total number of days for which the pupils are enrolled in the local public school and  
2 dividing the product by 1,080.”

3 ~~\*b0996/2.17\* 832. Page 1124, line 21: after “(4)” insert “and (4m)”.~~

4 \*b1111/2.4\* 833. Page 1124, line 21: delete “ss. 118.40 (2r) (e) and 119.23 (4)”  
5 and substitute “s. 118.40 (2r)”.

6 \*b1111/2.5\* 834. Page 1124, line 24: after “(ac)” insert “, calculated as if the  
7 reduction under par. (c) had not occurred”.

8 \*b1111/2.6\* 835. Page 1125, line 2: after “(ac)” insert “, calculated as if the  
9 reduction under par. (c) had not occurred.”

10 \*b1111/2.7\* 836. Page 1125, line 2: after that line insert:

11 “(b) The amount of state aid that the school district operating under ch. 119 is  
12 eligible to be paid from the appropriation under s. 20.255 (2) (ac) shall also be reduced  
13 by 50% of the amounts paid under s. 119.23 (4) and (4m) in the current school year.

14 (c) The amount of state aid that each school district other than the school  
15 district operating under ch. 119 is eligible to be paid from the appropriation under  
16 s. 20.255 (2) (ac) shall also be reduced by an amount calculated as follows:

17 1. Add the amounts paid under s. 119.23 (4) and (4m) in the current school year  
18 and divide the sum by 2.

19 2. Divide the result obtained under subd. 1. by the total amount of state aid that  
20 all school districts other than the school district operating under ch. 119 are eligible  
21 to be paid from the appropriation under s. 20.255 (2) (ac), calculated as if the  
22 reduction under par. (a) had not occurred.

1           3. Multiply the amount of state aid that the school district is eligible to be paid  
2 from the appropriation under s. 20.225 (2) (ac), calculated as if the reduction under  
3 par. (a) had not occurred, by the quotient under subd. 2.”.

\*\*\*\*NOTE: Section 119.23 (4m), which is cross-referenced in this SECTION, is created  
in 1999 LRBb1110.

4           **\*b1111/2.8\* 837.** Page 1125, line 3: substitute “(d)” for “(b)”.

5           **\*b1111/2.9\* 838.** Page 1125, line 4: delete “par. (a)” and substitute “pars. (a)  
6 to (c)”.

7           **\*b0892/4.25\* 839.** Page 1127, line 17: after that line insert:

8           **\*b0892/4.25\* “SECTION 2142m.** 121.54 (3) of the statutes is amended to read:  
9           121.54 (3) TRANSPORTATION FOR CHILDREN WITH DISABILITIES. Every school board  
10 shall provide transportation for children with disabilities, as defined in s. 115.76 (5),  
11 to any public or private elementary or high school, to the ~~Wisconsin school for the~~  
12 ~~visually handicapped school operated by the Wisconsin Center for the Blind and~~  
13 Visually Impaired or the Wisconsin ~~school~~ School for the ~~deaf~~ Deaf or to any special  
14 education program for children with disabilities sponsored by a state tax-supported  
15 institution of higher education, including a technical college, regardless of distance,  
16 if the request for such transportation is approved by the state superintendent.  
17 Approval shall be based on whether or not the child can walk to school with safety  
18 and comfort. Section 121.53 shall apply to transportation provided under this  
19 subsection.”.

20           **\*b1109/1.3\* 840.** Page 1129, line 19: delete the material beginning with that  
21 line and ending with page 1130, line 14, and substitute:

1           “121.85 (6) (ar) *Hold harmless*. The department shall pay to the school district  
2 operating under ch. 119 the amount of aid to which the school district is entitled  
3 under par. (a), as reduced by par. (am), or \$30,000,000, whichever is less.”.

4           **\*b0793/2.21\* 841.** Page 1135, line 3: after that line insert:

5           **\*b0793/2.21\*** “SECTION 2156a. 121.91 (3) (a) of the statutes is amended to read:

6           121.91 (3) (a) If a school board wishes to exceed the limit under sub. (2m)  
7 otherwise applicable to the school district in any school year, it shall promptly adopt  
8 a resolution supporting inclusion in the final school district budget of an amount  
9 equal to the proposed excess revenue. The resolution shall specify whether the  
10 proposed excess revenue is for a recurring or nonrecurring purpose, or, if the  
11 proposed excess revenue is for both recurring and nonrecurring purposes, the  
12 amount of the proposed excess revenue for each purpose. Within 10 days after  
13 adopting the resolution, the school board shall notify the department of the  
14 scheduled date of the referendum and submit a copy of the resolution to the  
15 department. The school board shall call a special referendum in accordance with s.  
16 8.065 for the purpose of submitting the resolution to the electors of the school district  
17 for approval or rejection. ~~In lieu of a special referendum, the school board may~~  
18 ~~specify that the referendum be held at the next succeeding spring primary or election~~  
19 ~~or September primary or general election, if such election is, to be held not earlier~~  
20 sooner than 35 days after the adoption of the resolution of the school board. The  
21 school district clerk shall certify the results of the referendum to the department  
22 within 10 days after the referendum is held.”.

23           **\*b1110/2.3\* 842.** Page 1136, line 1: substitute “2000–01” for “1999–2000”.

24           **\*b0705/2.1\* 843.** Page 1137, line 5: after that line insert:

1           **\*b0705/2.1\* “SECTION 2164r.** 125.12 (1) (a) of the statutes is amended to read:

2           125.12 (1) (a) Except as provided in ~~par. (b)~~ this subsection, any municipality  
3 or the department may revoke, suspend or refuse to renew any license or permit  
4 under this chapter, as provided in this section.

5           **\*b0705/2.1\* SECTION 2164s.** 125.12 (1) (c) of the statutes is created to read:

6           125.12 (1) (c) Neither a municipality nor the department may consider an  
7 arrest or conviction for a violation punishable under s. 945.03 (2m), 945.04 (2m) or  
8 945.05 (1m) in any action to revoke, suspend or refuse to renew a Class “B” or “Class  
9 B” license or permit.”.

10          **\*b1138/1.1\* 844.** Page 1138, line 8: after that line insert:

11          **\*b1138/1.1\* “SECTION 2165g.** 125.51 (3) (am) of the statutes is amended to  
12 read:

13          125.51 (3) (am) A “Class B” license issued to a winery authorizes the sale of  
14 wine to be consumed by the glass or in opened containers only on the premises where  
15 sold and also authorizes the sale of wine in the original package or container to be  
16 consumed off the premises where sold, but does not authorize the sale of fermented  
17 malt beverages or any intoxicating liquor other than wine. A restaurant for which  
18 a permit is issued under s. 125.535 shall not be considered a winery under this  
19 paragraph.”.

20          **\*b0713/1.2\* 845.** Page 1139, line 11: after that line insert:

21          **\*b0713/1.2\* “SECTION 2165m.** 134.66 (2) (a) of the statutes is amended to read:

22          134.66 (2) (a) No retailer, manufacturer, distributor, jobber or subjobber, no  
23 agent, employe or independent contractor of a retailer, manufacturer, distributor,  
24 jobber or subjobber and no agent or employe of an independent contractor may sell

1 or provide for nominal or no consideration cigarettes or tobacco products to any  
2 person under the age of 18, except as provided in s. ~~938.983 (3)~~ 254.92 (2) (a). A  
3 vending machine operator is not liable under this paragraph for the purchase of  
4 cigarettes or tobacco products from his or her vending machine by a person under the  
5 age of 18 if the vending machine operator was unaware of the purchase.

6 **\*b0713/1.2\* SECTION 2165n.** 134.66 (2) (b) 1. of the statutes is amended to  
7 read:

8 134.66 (2) (b) 1. A retailer shall post a sign in areas within his or her premises  
9 where cigarettes or tobacco products are sold to consumers stating that the sale of  
10 any cigarette or tobacco product to a person under the age of 18 is unlawful under  
11 this section and s. ~~938.983~~ 254.92.

12 **\*b0713/1.2\* SECTION 2165p.** 134.66 (2) (b) 2. of the statutes is amended to  
13 read:

14 134.66 (2) (b) 2. A vending machine operator shall attach a notice in a  
15 conspicuous place on the front of his or her vending machines stating that the  
16 purchase of any cigarette or tobacco product by a person under the age of 18 is  
17 unlawful under s. ~~938.983~~ 254.92 and that the purchaser is subject to a forfeiture of  
18 not to exceed \$25.”.

19 **\*b0730/1.6\* 846.** Page 1139, line 11: after that line insert:

20 **\*b0730/1.6\* “SECTION 2166a.** 138.052 (5) (am) 2. a. of the statutes is amended  
21 to read:

22 138.052 (5) (am) 2. a. On January 1, 1994, and annually thereafter, the division  
23 of banking for banks, the division of savings and ~~loan~~ institutions for savings and  
24 loan associations and savings banks and the office of credit unions for credit unions

1 shall determine the interest rate that is the average of the interest rates paid,  
2 rounded to the nearest one-hundredth of a percent, on regular passbook deposit  
3 accounts by institutions under the division's or office's jurisdiction at the close of the  
4 last quarterly reporting period that ended at least 30 days before the determination  
5 is made.

6 **\*b0730/1.6\* SECTION 2167a.** 138.052 (5) (am) 2. b. of the statutes is amended  
7 to read:

8 138.052 (5) (am) 2. b. The office of credit unions and the division of banking  
9 shall report the rate calculated to the division of savings ~~and loan~~ institutions within  
10 5 days after the date on which the determination is made. The division of savings  
11 ~~and loan~~ institutions shall calculate the average, rounded to the nearest  
12 one-hundredth of a percent, of the 3 rates and report that interest rate to the revisor  
13 of statutes within 5 days after the date on which the determination is made.

14 **\*b0730/1.6\* SECTION 2168a.** 138.055 (4) (a) of the statutes is amended to read:  
15 138.055 (4) (a) The division of savings ~~and loan~~ institutions, if the lender is a  
16 savings and loan association or savings bank;

17 **\*b0730/1.6\* SECTION 2169a.** 138.056 (1) (a) 4. a. of the statutes is amended to  
18 read:

19 138.056 (1) (a) 4. a. The division of savings ~~and loan~~ institutions, if the lender  
20 is a savings and loan association or savings bank;”.

21 **\*b0809/1.1\* 847.** Page 1139, line 11: after that line insert:

22 **\*b0809/1.1\* “SECTION 2165m.** 125.51 (4) (v) 2. of the statutes is amended to  
23 read:

1           125.51 (4) (v) 2. A hotel that has ~~100~~ 50 or more rooms of sleeping  
2 accommodations and that has either an attached restaurant with a seating capacity  
3 of 150 or more persons or a banquet room in which banquets attended by 400 or more  
4 persons may be held.”.

5           **\*b1138/1.2\* 848.** Page 1139, line 11: after that line insert:

6           **\*b1138/1.2\* “SECTION 2165m.** 125.535 of the statutes is created to read:

7           **125.535 Restaurant-winery permit.** The department shall issue a  
8 restaurant-winery permit authorizing the retail sale of wine manufactured on the  
9 premises for consumption on the premises where sold or in an original unopened  
10 package or container for consumption off the premises where sold. The department  
11 may issue a restaurant-winery permit to any person who is qualified under s. 125.04  
12 (5) and who holds a valid certificate under s. 73.03 (50). A restaurant-winery permit  
13 may be issued only for a restaurant in which the sale of alcohol beverages accounts  
14 for less than 50% of gross receipts and that manufactures less than 2,500 gallons of  
15 wine per year. A restaurant issued a permit under this section shall not be  
16 considered a winery for purposes of s. 125.51 (3) (am).

17           **\*b1138/1.2\* SECTION 2165p.** 125.69 (1) (a) of the statutes is renumbered  
18 125.69 (1) (a) 1. and amended to read:

19           125.69 (1) (a) 1. ~~No~~ Except as provided in subds. 2. and 3., no intoxicating liquor  
20 manufacturer, rectifier or wholesaler may hold any direct or indirect interest in any  
21 “Class A” license or establishment and no “Class A” licensee may hold any direct or  
22 indirect interest in a wholesale permit or establishment, ~~except that a.~~

23           2. A winery that ~~has~~ holds a permit under s. 125.53 may have an ownership  
24 interest in a “Class A” license.



1           **\*b1138/1.2\* SECTION 2165t.** 125.69 (1) (a) 3. of the statutes is created to read:  
2           125.69 (1) (a) 3. A restaurant that holds a permit under s. 125.535 may hold  
3 a “Class A” license.

4           **\*b1138/1.2\* SECTION 2165w.** 125.69 (1) (b) 1. of the statutes is amended to  
5 read:

6           125.69 (1) (b) 1. Except as provided under subds. 2. to ~~4.~~ 5., no intoxicating  
7 liquor manufacturer, rectifier or wholesaler may hold any direct or indirect interest  
8 in any “Class B” license or permit or establishment or “Class C” license or  
9 establishment and no “Class B” licensee or permittee or “Class C” licensee may hold  
10 any direct or indirect interest in a wholesale permit or establishment.

11           **\*b1138/1.2\* SECTION 2165y.** 125.69 (1) (b) 5. of the statutes is created to read:  
12           125.69 (1) (b) 5. A restaurant that holds a permit under s. 125.535 may hold  
13 a “Class B” license or permit or a “Class C” license.”.

14           **\*b1139/1.1\* 849.** Page 1139, line 11: after that line insert:

15           **\*b1139/1.1\* “SECTION 2165L.** 125.51 (3m) (c) of the statutes is amended to  
16 read:

17           125.51 (3m) (c) A “Class C” license may be issued to a person qualified under  
18 s. 125.04 (5) for a restaurant in which the sale of alcohol beverages accounts for less  
19 than 50% of gross receipts and which does not have a barroom ~~if the municipality’s~~  
20 ~~quota under sub. (4) prohibits the municipality from issuing a “Class B” license to~~  
21 ~~that person or for a restaurant in which the sale of alcohol beverages accounts for less~~  
22 ~~than 50% of gross receipts and which has a barroom in which wine is the only~~  
23 intoxicating liquor sold. A “Class C” license may not be issued to a foreign

1 corporation, a foreign limited liability company or a person acting as agent for or in  
2 the employ of another.”.

3 \*b0730/1.7\* **850.** Page 1139, line 23: after that line insert:

4 \*b0730/1.7\* “SECTION 2170a. 138.12 (5) (a) of the statutes is amended to read:  
5 138.12 (5) (a) The ~~commissioner~~ division may revoke or suspend the license of  
6 any insurance premium finance company if the ~~commissioner~~ division finds ~~that any~~  
7 of the following:

- 8 1. Any license issued to such company was obtained by fraud,~~;~~
- 9 2. There was any misrepresentation in the application for the license,~~;~~
- 10 3. The holder of such license has otherwise shown himself or herself  
11 untrustworthy or incompetent to act as a premium finance company,~~;~~
- 12 4. ~~Such~~ The company has violated any provision of this section,~~or~~
- 13 5. ~~Such~~ The company has been rebating part of the service charge as allowed  
14 and permitted herein to any insurance agent or insurance broker or any employe of  
15 an insurance agent or insurance broker or to any other person as an inducement to  
16 the financing of any insurance policy with the premium finance company.”.

17 \*b0777/2.15\* **851.** Page 1139, line 23: after that line insert:

18 \*b0777/2.15\* “SECTION 2169v. Chapter 139 (title) of the statutes is amended  
19 to read:

20 **CHAPTER 139**

21 **BEVERAGE, CONTROLLED SUBSTANCES AND,**

22 **TOBACCO AND**

23 **ATTORNEY FEES TAXES”.**

24 \*b1063/1.1\* **852.** Page 1139, line 23: after that line insert:

1           **\*b1063/1.1\*** “SECTION 2169s. 139.03 (5) (b) of the statutes is renumbered  
2 139.03 (5) (b) 1. and amended to read:

3           139.03 (5) (b) 1. Any Except as provided in subd. 2., any person, except an  
4 underage person as defined under s. 125.02 (20m), who leaves a foreign country, after  
5 spending at least 48 hours in that foreign country, with the purpose of entering this  
6 state may have in that person’s possession and bring into the state intoxicating  
7 liquor or wine in sealed original containers in amounts not to exceed, in the  
8 aggregate, 4 liters without payment of the tax imposed under this subchapter. The  
9 4 liters of tax-free intoxicating liquor and wines may not be sent, shipped or carried  
10 into the state other than in the immediate possession of the person as qualified by  
11 this subsection.

12           **\*b1063/1.1\*** SECTION 2169t. 139.03 (5) (b) 2. of the statutes is created to read:

13           139.03 (5) (b) 2. A person who is a member of the national guard, the U. S.  
14 armed forces or a reserve component of the U. S. armed forces; who is a state resident;  
15 and who leaves a foreign country, after spending at least 48 hours in that foreign  
16 country on duty or for training, with the purpose of entering into this state may bring  
17 into the state, in sealed original containers and in the person’s immediate possession,  
18 intoxicating liquor and wine in an aggregate amount not exceeding 16 liters without  
19 paying the tax imposed under this subchapter on that amount.”.

20           **\*b1207/1.2\*** **853.** Page 1140, line 3: delete that line.

21           **\*b1207/1.3\*** **854.** Page 1140, line 25: delete the material beginning with that  
22 line and ending with page 1142, line 6.

23           **\*b1176/1.1\*** **855.** Page 1140, line 22: delete “70%” and substitute “50%”.

24           **\*b1178/1.1\*** **856.** Page 1144, line 9: delete “70%” and substitute “50%”.