

1999 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-AB133)

Received: **06/23/99**

Received By: **kahlepj**

Wanted: **Soon**

Identical to LRB:

For: **Senate Democratic Caucus**

By/Representing: **Walter**

This file may be shown to any legislator: **NO**

Drafter: **kahlepj**

May Contact:

Alt. Drafters:

Subject: **Insurance - health
Health - miscellaneous**

Extra Copies:

Pre Topic:

SDC:.....Walter - Caucus #2635,

Topic:

Change funding proportions for HIRSP

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	kahlepj 06/24/99	wjackson 06/25/99		_____			
/1			ismith 06/25/99	_____	lrb_docadmin 06/25/99		

FE Sent For:

<END>

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Received By: kahlepj

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For: Senate Democratic Caucus

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See Attached

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1/?	kahlepj	1/1 Wlj 6/25	6/25 e/as	25/JF 6/25			

FE Sent For:

<END>

SDC PJK

yes

caucus number 2635

duplicate flag:
duplicate with:

Other reference numbers: Paper 510	LFB Sum #: pages 398-402
bill number/amendment number:	
LRB draft #	LRB P-draft:

description: Repeal requirement that premiums collected from HIRSP policyholders must equal 60% of the plan costs and that providers must each provide 50% of the remaining 40% of the plan costs. Instead, establish max premium cost at 150% of cost for standard plan.

other notes

drafting instructions: see above. And add that insurers and providers each provide 50% of the remaining plan costs.

b1100

more instructions:

caucus number 3205

duplicate flag:
duplicate with:

Other reference numbers: FM 1165	LFB Sum #: page 295
bill number/amendment number:	
LRB draft #	LRB P-draft:

description: Provides additional GPR for birth defects and outcome monitoring program. Includes provisions to create a birth defect prevention surveillance system

other notes

33,000 99-01 67,000 00-01 (100,000) TOTAL

drafting instructions: Provide \$200,000 GPR in 1999-00 and \$400,000 GPR in 2000-01

more instructions:

caucus number 3207

duplicate flag:
duplicate with:

Other reference numbers:	LFB Sum #:
bill number/amendment number:	
LRB draft #	LRB P-draft:

description: Allows multiple municipalities in a county to establish a local board of health

other notes

drafting instructions: See above and attached

more instructions:

caucus number 3304

duplicate flag:
duplicate with:

Other reference numbers:	LFB Sum #:
bill number/amendment number:	
LRB draft #	LRB P-draft:

description: Provide \$400,000 GPR to the State Lab of Hygiene and \$250,000 to the City of Milwaukee Public Health Department to each purchase DNA probe machines.

other notes

drafting instructions: See above and attached.

more instructions:

1. ~~50~~ Fifty percent from insurer assessments, excluding assessments under s. 149.144.

2. ~~50~~ Fifty percent from adjustments to provider payment rates, excluding adjustments to those rates under ss. 149.144 and ~~149.15 (3) (e)~~.

rc (2) (a) Prior to each plan year, the department shall estimate the operating and administrative costs of the plan and the costs of the premium reductions under s. 149.165 and the deductible reductions under s. 149.14 (5) (a) for the new plan year and do all of the following:

rc
9/1
1. a. Estimate the amount of enrollee premiums that would be received in the new plan year if the enrollee premiums were set at a level sufficient, when including amounts received for premium and deductible subsidies under ss. 20.435 (5) (ah) and 149.144 and from premiums collected from eligible persons with coverage under s. 149.146 set in accordance with s. 149.146 (2) (b), to cover 60% of the estimated plan costs for the new plan year, after deducting from the estimated plan costs the amount available in the appropriation under s. 20.435 (5) (af) for that plan year.

keep
b. Estimate the amount of enrollee premiums that will be received under sub. (1) (b) *1/a*.

repeal
c. If the amount estimated to be received under subd. 1. a. is less than the amount estimated to be received under subd. 1. b., direct the plan administrator to provide to the department, prior to the beginning of the plan year and according to procedures specified by the department, the amount of the difference. The department shall deposit all amounts received under this subd. 1. c. in the appropriation account under s. 20.435 (5) (gh).

2. After making the determinations under subd. 1., by rule set premium rates for the new plan year, including the rates under s. 149.146 (2) (b), in the manner specified in sub. (1) (b) (1. a. and c. and such that a rate for coverage under s. 149.14 is not less than 150% nor more than 200% of *out* the rate that a standard risk would be charged under an individual policy providing substantially the same coverage and deductibles as are provided under the plan.)

3. By rule set the total insurer assessments under s. 149.13 for the new plan year by estimating and setting the assessments at the amount necessary to equal the amounts specified in sub. (1) (b) *(c)*

1. ~~d.~~ and 2. ~~a.~~ and notify the commissioner of the amount.

4. By the same rule as under subd. 3. adjust the provider payment rate for the new plan year by estimating and setting the rate at the level necessary to equal the amounts specified in sub. (1) ~~(b)~~ ^{(c) 2.}
~~1. d. and 2. b.~~ ^{(c) 2.} and as provided in s. 149.145.

AM
(b) In setting the ~~premium rates under par. (a) 2.~~ the insurer assessment amount under par. (a) 3. and the provider payment rate under par. (a) 4. for the new plan year, the department shall include any increase or decrease necessary to reflect the amount, if any, by which the ~~rates and amount~~ ^{and rate} set under par. (a) for the current plan year differed from the ~~rates and amount~~ ^{rate} which would have equaled the amounts specified in sub. (1) ~~(b)~~ ^(c) in the current plan year.

RA
(3) (a) If, during a plan year, the department determines that the amounts estimated to be received as a result of the rates and amount set under sub. (2) (a) 2. to 4. and any adjustments in insurer assessments and the provider payment rate under s. 149.144 will not be sufficient to cover plan costs, the department may by rule ~~increase the premium rates set under sub. (2) (a) 2. for the remainder of the plan year, subject to s. 149.146 (2) (b) and the maximum specified in sub. (2) (a) 2., by rule increase the assessments set under sub. (2) (a) 3. for the remainder of the plan year, subject to sub. (1) (b) 2. a., and by the same rule under which assessments are increased adjust the provider payment rate set under sub. (2) (a) 4. for the remainder of the plan year, subject to sub. (1) (b) 2. b.~~ ^{(c) 1.} ^{(c) 2.}

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

Stu
(3m) Subject to s. 149.14 (4m), insurers and providers may recover in the normal course of their respective businesses without time limitation assessments or provider payment rate adjustments used to recoup any deficit incurred under the plan.

Stu
(4) Using the procedure under s. 227.24, the department may promulgate rules under sub. (2) or (3) for the period before the effective date of any permanent rules promulgated under sub. (2) or (3),

but not to exceed the period authorized under s. 227.24 (1) (c) and (2). Notwithstanding s. 227.24 (1) and (3), the department is not required to make a finding of emergency.

History: 1997 a. 27.

GPR

150% of standard plan

50/50 split of remainder

GPR

prem

147 wica pay also the rest of the costs

keep (2m) - can 150% is too much

set at 150% , which may be too high in some yrs
(or too low)

can't set at some rate not to exceed 150% because
then it makes no sense that ins & dr.

pay remainder (the "remainder"
would be set by DTFs)

(b) (ins.) + 1. a.

(b) 1. a.

RA → (b)

RP (b)(ins.), 1. (ins.), b., c. & d.

2262b → 2266b



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb1100
PJK.....
WJ

SDC:.....Walter - Caucus #2635, Change funding proportions for HIRSP

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

500W
(6-24)
D-vo

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 1163, line 15: delete the material beginning with that line and ending

3 with page 1165, line 8 and substitute:

4 "SECTION ~~2262e~~ ^{2262e} 149.143 (1) (b) (intro.) of the statutes is repealed. ✓

5 SECTION ~~2262m~~ ^{2262m} 149.143 (1) (b) 1. (intro.) of the statutes is repealed. ✓

6 SECTION ~~2262r~~ ^{2262r} 149.143 (1) (b) 1. a. of the statutes is renumbered 149.143 (1) (b) ✓

7 and amended to read:

8 149.143 (1) (b) ~~First, Next~~ from premiums from eligible persons with coverage

9 under s. 149.14 set, except as reduced under sub. (2m), at 150% of the rate that a

10 standard risk would be charged under an individual policy providing substantially

1 the same coverage and deductibles as are provided under the plan, including
 2 amounts received for premium and deductible subsidies under s. 149.144 and under
 3 the transfer to the fund from the appropriation account under ss. s. 20.435 (5) (4) (ah) ✓
 4 and 149.144, and from premiums collected from eligible persons with coverage under
 5 s. 149.146 set in accordance with s. 149.146 (2) (b).

- 6 History: 1997 a. 27. SECTION ~~27~~. 149.143 (1) (b) 1. b. of the statutes is repealed. ✓ *2263b (b)*
- 7 SECTION ~~27~~. 149.143 (1) (b) 1. c. of the statutes is repealed. ✓ *2263c (b)*
- 8 SECTION ~~27~~. 149.143 (1) (b) 1. d. of the statutes is repealed. ✓ *2263m (b)*
- 9 SECTION ~~27~~. 149.143 (1) (b) 2. of the statutes is renumbered 149.143 (1) (c) and
 10 149.143 (1) (c) (intro.) and 2., as renumbered, are amended to read:

11 149.143 (1) (c) (intro.) ~~A total of 40%~~ The remainder as follows:

12 2. Fifty percent from adjustments to provider payment rates, excluding
 13 adjustments to those rates under ss. s. 149.144 and 149.15 (3) (e).

- 14 History: 1997 a. 27. SECTION ~~27~~. 149.143 (2) (a) 1. of the statutes is repealed. ✓ *2264b (b)*
- 15 SECTION ~~27~~. 149.143 (2) (a) 2. of the statutes is amended to read:
 16 149.143 (2) (a) 2. ~~After making the determinations under subd. 1., by~~ By rule
 17 set premium rates for the new plan year, including the rates under s. 149.146 (2) (b),
 18 in the manner specified in sub. (1) (b) 1. a. and c. and such that a rate for coverage
 19 under s. 149.14 is not less than 150% nor more than 200% of the rate that a standard
 20 risk would be charged under an individual policy providing substantially the same
 21 coverage and deductibles as are provided under the plan.

- 22 History: 1997 a. 27. SECTION ~~27~~. 149.143 (2) (a) 3. of the statutes is amended to read:
 23 149.143 (2) (a) 3. By rule set the total insurer assessments under s. 149.13 for
 24 the new plan year by estimating and setting the assessments at the amount

1 necessary to equal the amounts specified in sub. (1) (b) 1. d. and 2. a. (c) 1. ✓ and notify
2 the commissioner of the amount.

History: 1997 a. 27.

3 SECTION ~~27~~ ^{2264r (b)} 149.143 (2) (a) 4. of the statutes is amended to read:

4 149.143 (2) (a) 4. By the same rule as under subd. 3. adjust the provider
5 payment rate for the new plan year by estimating and setting the rate at the level
6 necessary to equal the amounts specified in sub. (1) (b) 1. d. and 2. b. (c) 2. and as
7 provided in s. 149.145.

History: 1997 a. 27.

8 SECTION ~~27~~ ^{2265b (b)} 149.143 (2) (b) of the statutes is amended to read:

9 149.143 (2) (b) In setting the ~~premium rates under par. (a) 2.,~~ the insurer
10 assessment amount under par. (a) 3. and the provider payment rate under par. (a)
11 4. for the new plan year, the department shall include any increase or decrease
12 necessary to reflect the amount, if any, by which the ~~rates and amount~~ and rate set
13 under par. (a) for the current plan year differed from the ~~rates and amount~~ and rate
14 which would have equaled the amounts specified in sub. (1) (b) (c) in the current plan
15 year.”.

History: 1997 a. 27.

16 ✓ 2. Page 1165, line 15: delete “60% of”.

17 ✓ 3. Page 1165, line 20: delete “(1) (b) 1.” and substitute “(1) (b).”.

18 ✓ 4. Page 1165, line 21: delete lines 21 to 24.

19 5. Page 1166, line 1: delete lines 1 to 8 and substitute:

20 “SECTION ~~27~~ ^{2267c (b)} 149.143 (3) (a) of the statutes is renumbered 149.143 (3) and
21 amended to read:

22 149.143 (3) If, during a plan year, the department determines that the amounts
23 estimated to be received as a result of the rates and amount set under sub. (2) (a) 2.

1 to 4. and any adjustments in insurer assessments and the provider payment rate
 2 under s. 149.144 will not be sufficient to cover plan costs, the department may by rule
 3 increase the premium rates set under sub. (2)(a) 2. for the remainder of the plan year,
 4 subject to s. 149.146 (2) (b) and the maximum specified in sub. (2) (a) 2., by rule
 5 increase the assessments set under sub. (2) (a) 3. for the remainder of the plan year,
 6 subject to sub. (1) (b) 2. a. (c) 1., and by the same rule under which assessments are
 7 increased adjust the provider payment rate set under sub. (2) (a) 4. for the remainder
 8 of the plan year, subject to sub. (1) (b) 2. b (c) 2.

History: 1997 a. 27.

9 SECTION 2267g (b) 149.143 (3) (b) of the statutes is repealed.

10 ✓ 6. Page 1166, line 15: delete "sub." and substitute "subs."

11 ✓ 7. Page 1166, line 16: after "(b)" insert "and (2m) (b) 1".

12 (END)

D-note

✓ #. Page 1167, line 19: delete "(a) and (b)"
 and substitute "(a) and (b)"

Section #. 149.143 of the statutes

149.143 Payment of plan costs. (1) The department shall pay or recover the operating and administrative costs of the plan as follows:

(a) First from the appropriation under s. 20.435 (5) (af).

(b) ~~The remainder of the costs as follows:~~ *Next*

~~1. A total of 60% from the following sources, calculated as follows:~~

~~a. First, from premiums from eligible persons with coverage under s. 149.14 set at 150% of the rate that a standard risk would be charged under an individual policy providing substantially the same coverage and deductibles as are provided under the plan, including amounts received for premium and deductible subsidies under ss. 20.435 (5) (ah) and 149.144, and from premiums collected from eligible persons with coverage under s. 149.146 set in accordance with s. 149.146 (2) (b).~~

~~b. Second, from the appropriation under s. 20.435 (5) (gh), to the extent that the amounts under subd. 1. a. are insufficient to pay 60% of plan costs.~~

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

~~d. Fourth, notwithstanding subd. 2., by increasing insurer assessments, excluding assessments under s. 149.144, and adjusting provider payment rates, excluding adjustments to those rates under ss. 149.144 and 149.15 (3) (e), in equal proportions and to the extent that the amounts under subd. 1. a. to c. are insufficient to pay 60% of plan costs.~~

~~2. A total of 40% as follows:~~

(c) The remainder as follows:

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb1100/dn

FJK.....

WLJ

1. Under this draft, premiums are set at 150% of the standard risk rate, not at *up to* 150% of the standard risk rate, because there must be a definite amount in order to set insurer assessments and provider discounts to cover the remainder of the costs. If there were no definite amount, DHFS could set premiums as low as they wanted because the premiums, under this draft, do not have to equal any particular proportion of the costs. The only way that premium rates may be reduced from 150% under this draft is if, at 150% of the standard risk rate, the premiums cover more than the remainder of the costs after the GPR appropriation is applied. The excess premiums may be used to reduce premiums below 150% in a later plan year. Of course, if the premiums cover more than the remainder of the plan costs in a particular plan year, the insurers and providers do not pay for any of the costs in that plan year. That scenario does not seem very likely.

Because the premiums are set ^{at} a given amount in this draft, only insurer assessments and provider discounts may be adjusted during a plan year to cover any deficit.

2. Let me know if you need any changes.

Pamela J. Kahler
Senior Legislative Attorney
Phone: (608) 266-2682
E-mail: Pam.Kahler@legis.state.wi.us

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBb1100/1dn
PJK:wlj:ijs

June 25, 1999

1. Under this draft, premiums are set at 150% of the standard risk rate, not at *up to* 150% of the standard risk rate, because there must be a definite amount in order to set insurer assessments and provider discounts to cover the remainder of the costs. If there were no definite amount, DHFS could set premiums as low as they wanted because the premiums, under this draft, do not have to equal any particular proportion of the costs. The only way that premium rates may be reduced from 150% under this draft is if, at 150% of the standard risk rate, the premiums cover more than the remainder of the costs after the GPR appropriation is applied. The excess premiums may be used to reduce premiums below 150% in a later plan year. Of course, if the premiums cover more than the remainder of the plan costs in a particular plan year, the insurers and providers do not pay for any of the costs in that plan year. That scenario does not seem very likely.

Because the premiums are set at a given amount in this draft, only insurer assessments and provider discounts may be adjusted during a plan year to cover any deficit.

2. Let me know if you need any changes.

Pamela J. Kahler
Senior Legislative Attorney
Phone: (608) 266-2682
E-mail: Pam.Kahler@legis.state.wi.us



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb1100/1
PJK:wlj:ijs

SDC:.....Walter – Caucus #2635, Change funding proportions for HIRSP

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 1163, line 15: delete the material beginning with that line and ending
3 with page 1165, line 8 and substitute:

4 “SECTION 2262e. 149.143 (1) (b) (intro.) of the statutes is repealed.

5 SECTION 2262m. 149.143 (1) (b) 1. (intro.) of the statutes is repealed.

6 SECTION 2262r. 149.143 (1) (b) 1. a. of the statutes is renumbered 149.143 (1)
7 (b) and amended to read:

8 149.143 (1) (b) ~~First, Next~~ from premiums from eligible persons with coverage
9 under s. 149.14 set, except as reduced under sub. (2m), at 150% of the rate that a
10 standard risk would be charged under an individual policy providing substantially

1 the same coverage and deductibles as are provided under the plan, including
2 amounts received for premium and deductible subsidies under s. 149.144 and under
3 the transfer to the fund from the appropriation account under ss. s. 20.435 (5) (4) (ah)
4 and 149.144, and from premiums collected from eligible persons with coverage under
5 s. 149.146 set in accordance with s. 149.146 (2) (b).

6 **SECTION 2263b.** 149.143 (1) (b) 1. b. of the statutes is repealed.

7 **SECTION 2263e.** 149.143 (1) (b) 1. c. of the statutes is repealed.

8 **SECTION 2263m.** 149.143 (1) (b) 1. d. of the statutes is repealed.

9 **SECTION 2263r.** 149.143 (1) (b) 2. of the statutes is renumbered 149.143 (1) (c)
10 and 149.143 (1) (c) (intro.) and 2., as renumbered, are amended to read:

11 149.143 (1) (c) (intro.) ~~A total of 40%~~ The remainder as follows:

12 2. Fifty percent from adjustments to provider payment rates, excluding
13 adjustments to those rates under ~~ss. s. 149.144 and 149.15 (3) (e)~~.

14 **SECTION 2264b.** 149.143 (2) (a) 1. of the statutes is repealed.

15 **SECTION 2264e.** 149.143 (2) (a) 2. of the statutes is amended to read:

16 149.143 (2) (a) 2. ~~After making the determinations under subd. 1., by~~ By rule
17 set premium rates for the new plan year, including the rates under s. 149.146 (2) (b),
18 in the manner specified in sub. (1) (b) 1. a. and e. and such that a rate for coverage
19 under s. 149.14 is not less than 150% nor more than 200% of the rate that a standard
20 risk would be charged under an individual policy providing substantially the same
21 coverage and deductibles as are provided under the plan.

22 **SECTION 2264m.** 149.143 (2) (a) 3. of the statutes is amended to read:

23 149.143 (2) (a) 3. By rule set the total insurer assessments under s. 149.13 for
24 the new plan year by estimating and setting the assessments at the amount

1 necessary to equal the amounts specified in sub. (1) ~~(b) 1. d. and 2. a. (c) 1.~~ and notify
2 the commissioner of the amount.

3 **SECTION 2264r.** 149.143 (2) (a) 4. of the statutes is amended to read:

4 149.143 (2) (a) 4. By the same rule as under subd. 3. adjust the provider
5 payment rate for the new plan year by estimating and setting the rate at the level
6 necessary to equal the amounts specified in sub. (1) ~~(b) 1. d. and 2. b. (c) 2.~~ and as
7 provided in s. 149.145.

8 **SECTION 2265b.** 149.143 (2) (b) of the statutes is amended to read:

9 149.143 (2) (b) In setting the ~~premium rates under par. (a) 2.,~~ the insurer
10 assessment amount under par. (a) 3. and the provider payment rate under par. (a)
11 4. for the new plan year, the department shall include any increase or decrease
12 necessary to reflect the amount, if any, by which the ~~rates and amount~~ and rate set
13 under par. (a) for the current plan year differed from the ~~rates and amount~~ and rate
14 which would have equaled the amounts specified in sub. (1) ~~(b) (c)~~ in the current plan
15 year.”.

16 **2.** Page 1165, line 15: delete “60% of”.

17 **3.** Page 1165, line 20: delete “(1) (b) 1.” and substitute “(1) (b).”.

18 **4.** Page 1165, line 21: delete lines 21 to 24.

19 **5.** Page 1166, line 1: delete lines 1 to 8 and substitute:

20 “**SECTION 2267c.** 149.143 (3) (a) of the statutes is renumbered 149.143 (3) and
21 amended to read:

22 149.143 (3) If, during a plan year, the department determines that the amounts
23 estimated to be received as a result of the rates and amount set under sub. (2) (a) 2.
24 to 4. and any adjustments in insurer assessments and the provider payment rate

1 under s. 149.144 will not be sufficient to cover plan costs, the department may by rule
2 ~~increase the premium rates set under sub. (2)(a) 2. for the remainder of the plan year,~~
3 ~~subject to s. 149.146 (2) (b) and the maximum specified in sub. (2) (a) 2.,~~ by rule
4 increase the assessments set under sub. (2) (a) 3. for the remainder of the plan year,
5 subject to sub. (1) ~~(b) 2. a.~~ (c) 1., and by the same rule under which assessments are
6 increased adjust the provider payment rate set under sub. (2) (a) 4. for the remainder
7 of the plan year, subject to sub. (1) ~~(b) 2. b~~ (c) 2.

8 **SECTION 2267g.** 149.143 (3) (b) of the statutes is repealed.”.

9 **6.** Page 1166, line 15: delete “sub.” and substitute “subs.”.

10 **7.** Page 1166, line 16: after “(b)” insert “and (2m) (b) 1”.

11 **8.** Page 1167, line 19: delete “(a) and (b)” and substitute “~~(a) and (b)~~”.

12 (END)