

1           **\*b1812/2.1\* 1150.** Page 878, line 24: delete that line.

2           **\*b1812/2.2\* 1151.** Page 879, line 1: delete lines 1 to 6 and substitute:

3           **\*b1812/2.2\* "SECTION 2340y.** 86.193 of the statutes is created to read:

4           **86.193 Agricultural tourism signs.** (1) In this section, "agricultural  
5 tourism facility" means a facility located in this state that is open to the public at  
6 least 4 days a week for a minimum of 3 months and which does any of the following:

7           (a) Markets Wisconsin farm products.

8           (b) Processes and markets agricultural products, of which at least 50% are  
9 grown and produced in this state.

10           (c) Promotes tourism by providing tours and on-site sales or samples of  
11 Wisconsin agricultural products.

12           (2) The department shall develop and, no later than March 1, 2002, implement  
13 a plan, consistent with federal and state laws, to promote and maximize the erection  
14 of agricultural tourism signs on highways in this state to identify and provide  
15 directional information to any agricultural tourism facility.

16           (3) (a) Except as provided in par. (b), the department may assess and collect  
17 from an agricultural tourism facility the actual costs of erection of any agricultural  
18 tourism sign that identifies and provides directional information to the facility.

19           (b) A local authority shall permit erection of a trailblazer sign that identifies  
20 and provides directional information to an agricultural tourism facility on a highway  
21 under the jurisdiction of the local authority if the facility is located more than 5 miles  
22 from the highway and the local authority assesses and collects from the facility the  
23 actual costs of erection of the trailblazer sign. The department shall promulgate  
24 rules defining "trailblazer sign" for purposes of this paragraph.

1           (4) In developing and implementing the plan under sub. (2), the department  
2 shall consult with the department of agriculture, trade and consumer protection.”.

3           **\*b2040/1.3\* 1152.** Page 879, line 12: delete “\$1,790” and substitute “\$1,825”.

4           **\*b2040/1.4\* 1153.** Page 879, line 19: delete “\$88,312,900” and substitute  
5 “\$90,044,600”.

6           **\*b2040/1.5\* 1154.** Page 880, line 1: delete “\$277,843,200” and substitute  
7 “\$283,291,100”.

8           **\*b2040/1.6\* 1155.** Page 880, line 3: after that line insert:

9           **\*b2040/1.6\* “SECTION 2345m.** 86.30 (10c) of the statutes is created to read:

10           86.30 (10c) AID PAYMENTS FOR CALENDAR YEAR 2002. (a) 1. For calendar year 2002,  
11 the department shall determine the percentage change between the amount of  
12 moneys appropriated for distribution under this section to counties for calendar year  
13 2002 and the amount of moneys appropriated for distribution under this section to  
14 counties for calendar year 2001.

15           2. Notwithstanding sub. (2) (a), (b), and (d) and s. 86.303 (5) (e), (f), (h), and (i),  
16 the amount of aid payable to each county in calendar year 2002 shall be the amount  
17 paid to that county for calendar year 2001, plus an amount equal to the percentage  
18 determined under subd. 1. of the amount paid to the county for calendar year 2001.

19           (b) 1. For calendar year 2002, the department shall determine the percentage  
20 change between the amount of moneys appropriated for distribution under this  
21 section to municipalities for calendar year 2002 and the amount of moneys  
22 appropriated for distribution under this section to municipalities for calendar year  
23 2001.

1           2. Notwithstanding sub. (2) (a), (b), and (d) and s. 86.303 (5) (e), (f), (h), and (i),  
2 the amount of aid payable to each municipality in calendar year 2002 shall be the  
3 amount paid to that municipality for calendar year 2001, plus an amount equal to  
4 the percentage determined under subd. 1. of the amount paid to the municipality for  
5 calendar year 2001.

6           **\*b2040/1.6\* SECTION 2345n.** 86.30 (10g) of the statutes is created to read:

7           86.30 (10g) AID PAYMENTS FOR CALENDAR YEAR 2003. (a) 1. For calendar year 2003,  
8 the department shall determine the percentage change between the amount of  
9 moneys appropriated for distribution under this section to counties for calendar year  
10 2003 and the amount of moneys appropriated for distribution under this section to  
11 counties for calendar year 2002.

12           2. Notwithstanding sub. (2) (a), (b), and (d) and s. 86.303 (5) (e), (f), (h), and (i),  
13 the amount of aid payable to each county in calendar year 2003 shall be the amount  
14 paid to that county for calendar year 2002, plus an amount equal to the percentage  
15 determined under subd. 1. of the amount paid to the county for calendar year 2002.

16           (b) 1. For calendar year 2003, the department shall determine the percentage  
17 change between the amount of moneys appropriated for distribution under this  
18 section to municipalities for calendar year 2003 and the amount of moneys  
19 appropriated for distribution under this section to municipalities for calendar year  
20 2002.

21           2. Notwithstanding sub. (2) (a), (b), and (d) and s. 86.303 (5) (e), (f), (h), and (i),  
22 the amount of aid payable to each municipality in calendar year 2003 shall be the  
23 amount paid to that municipality for calendar year 2002, plus an amount equal to  
24 the percentage determined under subd. 1. of the amount paid to the municipality for  
25 calendar year 2002.”.

1           **\*b2011/2.5\* 1156.** Page 881, line 4: after that line insert:

2           **\*b2011/2.5\* “SECTION 2348m.** 86.31 (3s) of the statutes is created to read:

3           86.31 (3s) WEST CANAL STREET RECONSTRUCTION. Notwithstanding limitations  
4 on the amount and use of aids provided under this section, or on eligibility  
5 requirements for receiving aids under this section, and subject to s. 84.03 (3) (b), the  
6 department shall award a grant of \$2,500,000 to the city of Milwaukee for the  
7 purpose specified under s. 84.03 (3) (a). Notwithstanding subs. (3) (b), (3g), (3m), and  
8 (3r), payment of the grant under this subsection shall be made from the  
9 appropriation under s. 20.395 (2) (fr) before making any other allocation of funds  
10 under subs. (3) (b), (3g), (3m), and (3r), and the allocation of funds under subs. (3) (b),  
11 (3g), (3m), and (3r) shall be reduced proportionately to reflect the amount of the grant  
12 made under this subsection. This subsection does not apply after December 31,  
13 2005.”.

14           **\*b2221/3.124\* 1157.** Page 881, line 4: after that line insert:

15           **\*b2221/3.124\* “SECTION 2349m.** 86.315 (1) of the statutes is amended to read:

16           86.315 (1) From the appropriation under s. 20.395 (1) (fu), the department  
17 shall annually, on March 10, pay to counties having county forests established under  
18 ch. 28, for the improvement of public roads within the county forests which are open  
19 and used for travel and which are not state or county trunk highways or town roads  
20 and for which no aids are paid under s. 86.30, the amount of \$336 per mile of road  
21 designated in the comprehensive county forest land use plan as approved by the  
22 county board and the department of ~~natural resources~~ forestry. If the amount  
23 appropriated under s. 20.395 (1) (fu) is insufficient to make the payments required

1 under this subsection, the department shall prorate the amount appropriated in the  
2 manner it considers desirable.”

3 \*b0845/3.27\* **1158.** Page 881, line 11: delete lines 11 to 20.

4 \*b1634/2.1\* **1159.** Page 881, line 25: delete “, equal to at least” and substitute  
5 “by rule, equal to”.

6 \*b1634/2.2\* **1160.** Page 882, line 1: delete “at least”.

7 \*b1461/3.10\* **1161.** Page 882, line 11: after that line insert:

8 \*b1461/3.10\* “SECTION 2382. 93.06 (8) of the statutes is amended to read:

9 93.06 (8) PRESCRIBE CONDITIONS OF LICENSES. Except as provided in s. 93.135,  
10 issue any permit, certificate, registration or license on a temporary or conditional  
11 basis, contingent upon pertinent circumstances or acts. If the temporary or  
12 conditional permit, certificate, registration or license is conditioned upon compliance  
13 with chs. 93 to 100, ch. ~~127~~ 126, a rule promulgated by the department or a regulation  
14 adopted under s. 97.41 (7) within a specified period of time and the condition is not  
15 met within the specified period, the permit, certificate, registration or license shall  
16 be void.”.

17 \*b1459/1.1\* **1162.** Page 882, line 13: delete the material beginning with  
18 “From” and ending with “provide” on line 14 and substitute “Provide”.

19 \*b1461/3.11\* **1163.** Page 882, line 16: after that line insert:

20 \*b1461/3.11\* “SECTION 2385. 93.135 (1) (rm) of the statutes is amended to  
21 read:

22 93.135 (1) (rm) A ~~registration certificate license~~ license under s. ~~100.03 (2)~~ 126.56.

23 \*b1461/3.11\* SECTION 2386. 93.135 (1) (s) of the statutes is amended to read:

24 93.135 (1) (s) A license under s. ~~127.02 (1)~~ 126.26.

1           **\*b1461/3.11\* SECTION 2387.** 93.135 (1) (sm) of the statutes is amended to read:  
2           93.135 (1) (sm) A license under s. ~~127.03 (1)~~ 126.11.

3           **\*b1461/3.11\* SECTION 2388.** 93.20 (1) of the statutes is amended to read:  
4           93.20 (1) DEFINITION. In this section, “action” means an action that is  
5           commenced in court by, or on behalf of, the department of agriculture, trade and  
6           consumer protection to enforce chs. 88, 91 to 100 or ~~127~~ 126.

7           **\*b1461/3.11\* SECTION 2389.** 93.21 (5) (a) of the statutes is amended to read:  
8           93.21 (5) (a) In this subsection, “license” means a permit, certificate,  
9           registration or license issued by the department under chs. 91 to 100 or ch. ~~127~~ 126.”.

10          **\*b1366/1.3\* 1164.** Page 882, line 17: after that line insert:

11          **\*b1366/1.3\* “SECTION 2390p.** 93.32 of the statutes is created to read:

12          **93.32 Agriculture in the classroom program.** From the appropriation  
13          account under s. 20.115 (4) (q), the department shall provide grants to the  
14          organization that conducts an agriculture in the classroom program in cooperation  
15          with the federal department of agriculture to help teachers educate students about  
16          agriculture.”.

17          **\*b1461/3.12\* 1165.** Page 882, line 24: after that line insert:

18          **\*b1461/3.12\* “SECTION 2394.** 93.50 (1) (g) of the statutes is amended to read:  
19          93.50 (1) (g) “Procurement contract” has the meaning given for “vegetable  
20          procurement contract” in s. ~~100.03 (1) (vm)~~ 126.55 (15).”.

21          **\*b2014/2.1\* 1166.** Page 882, line 24: after that line insert:

22          **\*b2014/2.1\* “SECTION 2394p.** 93.80 of the statutes is created to read:

23          **93.80 Arsenic in wood. (1)** The department, jointly with the department of  
24          commerce, shall review scientific evidence to determine whether there is a

1 substantial likelihood that wood treated with copper, chromium, and arsenic is  
2 harmful to the environment or to human health. The departments shall report the  
3 results of their review to the legislature under s. 13.172 (2) no later than June 30,  
4 2002.

5 (2) If the department and the department of commerce determine under sub.  
6 (1) that there is a substantial likelihood that wood treated with copper, chromium,  
7 and arsenic is harmful to the environment or to human health, the departments  
8 jointly shall promulgate rules that phase in restrictions on the use of wood treated  
9 with copper, chromium, and arsenic. The departments may not prohibit the use of  
10 wood treated with copper, chromium, and arsenic for a purpose unless there is a  
11 substitute wood preservative that may be used for that purpose and that is less  
12 harmful.

13 (3) Any person who violates a rule promulgated under sub. (2) may be required  
14 to forfeit not more than \$500 for each violation.”

15 \*b2015/1.1\* **1167.** Page 883, line 11: after “other” insert “practical”.

16 \*b2015/1.2\* **1168.** Page 886, line 22: substitute “may” for “will”.

17 \*b1017/1.1\* **1169.** Page 888, line 10: after that line insert:

18 \*b1017/1.1\* **SECTION 2397e.** 94.73 (3m) (r) of the statutes is amended to read:

19 94.73 (3m) (r) The cost of providing alternative sources of drinking water,  
20 except that, subject to sub. (6) (b) to (f), the department may reimburse a responsible  
21 person who applies for reimbursement a total of not more than ~~\$20,000~~ \$50,000 for  
22 the replacement or restoration of private wells or for connection to a public or private  
23 water source if the department or the department of natural resources orders the  
24 well replacement or restoration or the connection in response to a discharge.”

1           **\*b1461/3.13\* 1170.** Page 888, line 15: after that line insert:

2           **\*b1461/3.13\* “SECTION 2400.** 97.20 (2) (d) 2. of the statutes is amended to read:

3           97.20 (2) (d) 2. The license applicant has filed all financial information required  
4           under s. 126.44 and any security required under s. ~~100.06~~ 126.47. If an applicant has  
5           not filed all financial information under s. 126.44 and any security required under  
6           s. ~~100.06~~ 126.47, the department may issue a conditional dairy plant license under  
7           s. 93.06 (8) which prohibits the licensed operator from purchasing milk or fluid milk  
8           products from milk producers or their agents, but allows the operator to purchase  
9           milk or fluid milk products from other sources.

10           **\*b1461/3.13\* SECTION 2401.** 97.20 (3m) of the statutes is amended to read:

11           97.20 (3m) CONFIDENTIALITY. Any information kept by the department under  
12           this section or s. 97.24 that identifies individual milk producers who deliver milk to  
13           a dairy plant licensed under this section and that is a composite list for that dairy  
14           plant is not subject to inspection under s. 19.35 unless inspection is required under  
15           s. ~~100.06 (4)~~ 126.70 or unless the department determines that inspection is necessary  
16           to protect the public health, safety or welfare.

17           **\*b1461/3.13\* SECTION 2402.** 97.22 (10) of the statutes is amended to read:

18           97.22 (10) CONFIDENTIALITY. Any information obtained and kept by the  
19           department under this section, under s. 97.24 or 97.52, or under rules promulgated  
20           under those sections, that pertains to individual milk producer production, milk fat  
21           and other component tests and quality records is not subject to inspection under s.  
22           19.35 except as required under s. ~~100.06 (4)~~ 126.70 or except as the department  
23           determines is necessary to protect the public health, safety or welfare.

24           **\*b1461/3.13\* SECTION 2403.** 97.29 (4) of the statutes is amended to read:

1            97.29 (4) FOOD PROCESSING PLANTS BUYING VEGETABLES FROM PRODUCERS. The  
 2 department may not issue or renew a license to operate a food processing plant to any  
 3 applicant who is a vegetable contractor, as defined in s. ~~100.03 (1) (f)~~ 126.55 (14),  
 4 unless the applicant has filed all financial information required under s. 126.58 and  
 5 any security that is required under s. ~~100.03~~ 126.61. If an applicant has not filed all  
 6 financial information required under s. 126.58 and any security that is required  
 7 under s. ~~100.03~~ 126.61, the department may issue a conditional license under s. 93.06  
 8 (8) that prohibits the licensed operator from procuring vegetables from a producer  
 9 or a producer's agent, but allows the operator to procure vegetables from other  
 10 sources.”

*(as affected by 2001 Wisconsin Act ... (this act))*

11            \*b1461/3.14\* **1171.** Page 889, line 1: after that line insert:

12            \*b1461/3.14\* “SECTION 2404. 100.03 of the statutes ~~is~~ repealed.

13            \*b1461/3.14\* SECTION 2405. 100.06 of the statutes ~~is~~ repealed.”

14            \*b1524/1.6\* **1172.** Page 889, line 1: after that line insert:

15            \*b1524/1.6\* “SECTION 2404g. 100.03 (1) (bm) of the statutes is amended to  
 16 read:

17            100.03 (1) (bm) “Audited financial statement” means a financial statement  
 18 that, in the accompanying opinion of an independent certified public accountant or  
 19 a ~~public accountant holding a certificate of authority~~ licensed or certified under ch.  
 20 442, fairly and in all material respects represents the financial position of the  
 21 contractor, the results of the contractor's operations and the contractor's cash flows  
 22 in conformity with generally accepted accounting principles.

23            \*b1524/1.6\* SECTION 2404r. 100.03 (1) (ym) 2. of the statutes is amended to  
 24 read:

*#5*

1           100.03 (1) (ym) 2. Reviewed according to generally accepted accounting  
2 principles by an independent certified public accountant ~~or a public accountant~~  
3 ~~holding a certificate of authority~~ licensed or certified under ch. 442.

4           **\*b1524/1.6\* SECTION 2405m.** 100.06 (1g) (c) of the statutes is amended to read:

5           100.06 (1g) (c) The department shall require the applicant to file a financial  
6 statement of his or her business operations and financial condition that meets the  
7 requirements of par. (d). The licensee, during the term of his or her license, may be  
8 required to file such statements periodically. All such statements shall be  
9 confidential and shall not be open for public inspection, except that the department  
10 shall provide the name and address of an individual, the name and address of the  
11 individual's employer and financial information related to the individual contained  
12 in such statements if requested under s. 49.22 (2m) by the department of workforce  
13 development or a county child support agency under s. 59.53 (5). The department  
14 may require such statements to be certified by a certified public accountant licensed  
15 or certified under ch. 442. Such statements and audits, when made by the  
16 department, shall be paid for at cost.”.

17           **\*b1461/3.15\* 1173.** Page 889, line 8: after that line insert:

18           **\*b1461/3.15\* “SECTION 2414.** 100.235 (1) (b) of the statutes is amended to read:

19           100.235 (1) (b) “Contractor” has the meaning given for “vegetable contractor”  
20 under s. ~~100.03 (1) (f)~~ 126.55 (14).

21           **\*b1461/3.15\* SECTION 2415.** 100.235 (1) (em) of the statutes is renumbered  
22 100.235 (1) (dm) and amended to read:

23           100.235 (1) (dm) “Registration License year” has the meaning given under s.  
24 ~~100.03 (1) (y)~~ 126.55 (10m).

1           **\*b1461/3.15\* SECTION 2416.** 100.235 (2) of the statutes is amended to read:

2           100.235 (2) CONTRACTOR MAY NOT PAY PRODUCER LESS THAN CONTRACTOR'S COST TO  
3           GROW. If a contractor and the contractor's affiliates and subsidiaries collectively grow  
4           more than 10% of the acreage of any vegetable species grown and procured by the  
5           contractor in any ~~registration~~ license year, the contractor shall pay a producer, for  
6           vegetables of that species tendered or delivered under a vegetable procurement  
7           contract, a price not less than the contractor's cost to grow that vegetable species in  
8           the same growing region. For vegetables contracted on a tonnage basis and for  
9           open-market tonnage purchased, acreage under this subsection shall be determined  
10          using the state average yield per acre during the preceding ~~registration~~ license year.

11          **\*b1461/3.15\* SECTION 2417.** 100.235 (3) of the statutes is repealed.

12          **\*b1461/3.15\* SECTION 2418.** 100.235 (4) of the statutes is amended to read:

13          100.235 (4) COST TO GROW; REPORT TO DEPARTMENT UPON REQUEST. If the  
14          department determines that a contractor and the contractor's affiliates and  
15          subsidiaries will collectively grow more than 10% of the acreage of any vegetable  
16          species grown and procured by the contractor during a ~~registration~~ license year, the  
17          department may require the contractor to file a statement of the contractor's cost to  
18          grow that vegetable species. The contractor shall file the report with the department  
19          within 30 days after the department makes its request, unless the department  
20          grants an extension of time. The department may permit the contractor to report  
21          different costs to grow for different growing regions if the contractor can define the  
22          growing regions to the department's satisfaction, and can show to the department's  
23          satisfaction that the contractor's costs to grow are substantially different between  
24          the growing regions.

25          **\*b1461/3.15\* SECTION 2420.** 100.26 (5) of the statutes is amended to read:

1           100.26 (5) Any person violating s. ~~100.06 or any order or regulation of the~~  
2 ~~department thereunder, or s. 100.18 (9)~~, shall be fined not less than \$100 nor more  
3 than \$1,000 or imprisoned for not more than 2 years or both. Each day of violation  
4 constitutes a separate offense.”.

5           **\*b0768/4.3\* 1174.** Page 890, line 16: after that line insert:

6           **\*b0768/4.3\* “SECTION 2429d.** 100.264 (2) (intro.) of the statutes is amended  
7 to read:

8           100.264 (2) SUPPLEMENTAL FORFEITURE. (intro.) If a fine or a forfeiture is  
9 imposed on a person for a violation under s. 100.16, 100.17, 100.18, 100.182, 100.183,  
10 100.20, 100.205, 100.207, 100.21, 100.30 (3), 100.35, 100.44 ~~or~~, 100.46, or 100.52 (10)  
11 (b) or a rule promulgated under one of those sections, the person shall be subject to  
12 a supplemental forfeiture not to exceed \$10,000 for that violation if the conduct by  
13 the defendant, for which the violation was imposed, was perpetrated against an  
14 elderly person or disabled person and if the court finds that any of the following  
15 factors is present:”.

16           **\*b1000/1.1\* 1175.** Page 890, line 16: after that line insert:

17           **\*b1000/1.1\* “SECTION 2430L.** 100.30 (5r) of the statutes is created to read:

18           100.30 (5r) PRIVATE CAUSE OF ACTION; SALE OF TOBACCO PRODUCTS. Any person  
19 who is injured or threatened with injury as a result of a sale or purchase of cigarettes  
20 or other tobacco products in violation of this section may bring an action against the  
21 person who violated this section for temporary or permanent injunctive relief or an  
22 action against the person for 3 times the amount of any monetary loss sustained or  
23 an amount equal to \$2,000, whichever is greater, multiplied by each day of continued  
24 violation, together with costs, including accounting fees and reasonable attorney

1 fees, notwithstanding s. 814.04 (1). An association of cigarette wholesalers may  
2 bring the action on behalf of the person injured or threatened with injury and be  
3 entitled to the same relief as the person injured or threatened with injury.”.

4 \*b0768/4.4\* **1176.** Page 890, line 25: after that line insert:

5 \*b0768/4.4\* “SECTION 2435. 100.52 (title) of the statutes is created to read:

6 **100.52 (title) Telephone solicitations.**

7 \*b0768/4.4\* SECTION 2436. 100.52 (1) (title) of the statutes is created to read:

8 100.52 (1) (title) DEFINITIONS.

9 \*b0768/4.4\* SECTION 2437b. 100.52 (1) (a) of the statutes is created to read:

10 100.52 (1) (a) “Affiliate,” when used in relation to any person, means another  
11 person who owns or controls, is owned or controlled by, or is under common  
12 ownership or control with such person.

13 \*b0768/4.4\* SECTION 2438b. 100.52 (1) (b) of the statutes is created to read:

14 100.52 (1) (b) “Basic local exchange service” has the meaning in s. 196.01 (1g).

15 \*b0768/4.4\* SECTION 2439b. 100.52 (1) (c) of the statutes is created to read:

16 100.52 (1) (c) “Nonprofit organization” means a corporation, association, or  
17 organization described in section 501 (c) (3), (4), (5), or (19) of the Internal Revenue  
18 Code that is exempt from taxation under section 501 (a) of the Internal Revenue  
19 Code.

20 \*b0768/4.4\* SECTION 2440b. 100.52 (1) (d) of the statutes is created to read:

21 100.52 (1) (d) “Nonresidential customer” means a person, other than a  
22 residential customer, who is furnished with telecommunications service by a  
23 telecommunications utility.

24 \*b0768/4.4\* SECTION 2440d. 100.52 (1) (e) of the statutes is created to read:

1           100.52 (1) (e) “Nonsolicitation directory” means the directory established in  
2 rules promulgated by the department under sub. (2) (b).

3           **\*b0768/4.4\* SECTION 2440f.** 100.52 (1) (f) of the statutes is created to read:

4           100.52 (1) (f) “Residential customer” means an individual who is furnished  
5 with basic local exchange service by a telecommunications utility, but does not  
6 include an individual who operates a business at his or her residence.

7           **\*b0768/4.4\* SECTION 2440h.** 100.52 (1) (g) of the statutes is created to read:

8           100.52 (1) (g) “Telecommunications service” has the meaning given in s. 196.01  
9 (9m).

10           **\*b0768/4.4\* SECTION 2440j.** 100.52 (1) (h) of the statutes is created to read:

11           100.52 (1) (h) “Telecommunications utility” has the meaning given in s. 196.01  
12 (10).

13           **\*b0768/4.4\* SECTION 2440L.** 100.52 (1) (j) of the statutes is created to read:

14           100.52 (1) (j) “Telephone solicitor” means a person, other than a nonprofit  
15 organization or an employee or contractor of a nonprofit organization, that employs  
16 or contracts with an individual to make a telephone solicitation.

17           **\*b0768/4.4\* SECTION 2440n.** 100.52 (2) of the statutes is created to read:

18           100.52 (2) NONSOLICITATION DIRECTORY LISTING. (a) Upon a request by a  
19 residential customer, the department shall include in the nonsolicitation directory  
20 a listing indicating that the residential customer does not want to receive any  
21 telephone solicitation made on behalf of a telephone solicitor.

22           (b) The department shall promulgate rules for establishing, maintaining, and  
23 semiannually updating a directory that includes listings of residential customers  
24 who do not wish to receive telephone solicitations made on behalf of telephone  
25 solicitors. The rules promulgated under this paragraph shall establish requirements

1 and procedures for a residential customer to request a listing in the directory. The  
2 rules shall also require a residential customer who requests a listing in the directory  
3 to notify the department on a biennial basis if the residential customer wishes to  
4 continue to be included in the directory. The department shall eliminate a  
5 residential customer from the directory if the customer does not make the biennial  
6 notification.

7 (c) Except for copies of the nonsolicitation directory that are provided to  
8 registered telephone solicitors under par. (d), the nonsolicitation directory is not  
9 subject to inspection, copying, or receipt under s. 19.35 (1) and may not be released  
10 by the department.

11 (d) The department shall, on a semiannual basis, make the nonsolicitation  
12 directory available by electronic transmission only to telephone solicitors who are  
13 registered under sub. (3). Upon the request of a telephone solicitor registered under  
14 sub. (3), the department shall also provide a printed copy of the nonsolicitation  
15 directory to the telephone solicitor. A telephone solicitor who receives a copy of the  
16 directory, or to whom the directory is made available by electronic transmission,  
17 under this paragraph may not solicit or accept from any person, directly or indirectly,  
18 anything of value in exchange for providing the person with any information  
19 included in the copy.

20 **\*b0768/4.4\* SECTION 2441b.** 100.52 (3) of the statutes is created to read:

21 100.52 (3) REGISTRATION OF TELEPHONE SOLICITORS. (a) The department shall  
22 promulgate rules that require any telephone solicitor who requires an employee or  
23 contractor to make a telephone solicitation to a residential customer in this state to  
24 register with the department, obtain a registration number from the department,  
25 and pay a registration fee to the department. The amount of the registration fee shall

1 be based on the cost of establishing the nonsolicitation directory, and the amount that  
2 an individual telephone solicitor is required to pay shall be based on the number of  
3 telephone lines used by the telephone solicitor to make telephone solicitations. The  
4 rules shall also require a telephone solicitor that registers with the department to  
5 pay an annual registration renewal fee to the department. The amount of the  
6 registration renewal fee shall be based on the cost of maintaining the nonsolicitation  
7 directory.

8 (b) The department shall promulgate rules that require an individual who  
9 makes a telephone solicitation on behalf of a telephone solicitor to identify at the  
10 beginning of the telephone conversation each of the following:

11 1. The telephone solicitor.

12 2. If different than the telephone solicitor, the person selling the property,  
13 goods, or services, or receiving the contribution, donation, grant, or pledge of money,  
14 credit, property, or other thing of any kind, that is the reason for the telephone  
15 solicitation.

16 **\*b0768/4.4\* SECTION 2442b.** 100.52 (4) (title) of the statutes is created to read:

17 100.52 (4) (title) TELEPHONE SOLICITOR REQUIREMENTS.

18 **\*b0768/4.4\* SECTION 2442d.** 100.52 (4) (a) 2. and 3. of the statutes are created  
19 to read:

20 100.52 (4) (a) 2. Make a telephone solicitation to a residential customer if the  
21 nonsolicitation directory that is provided or made available to the telephone solicitor  
22 under sub. (2) (d) includes a listing for the residential customer.

23 3. Make a telephone solicitation to a nonresidential customer if the  
24 nonresidential customer has provided notice by mail to the telephone solicitor that  
25 the nonresidential customer does not wish to receive telephone solicitations.

1           **\*b0768/4.4\* SECTION 2442f.** 100.52 (4) (b) of the statutes is created to read:

2           100.52 (4) (b) A telephone solicitor may not do any of the following:

3           1. Require an employee or contractor to make a telephone solicitation to a  
4 person in this state unless the telephone solicitor is registered with the department  
5 under the rules promulgated under sub. (3) (a).

6           2. Require an employee or contractor to make a telephone solicitation that  
7 violates par. (a).

8           **\*b0768/4.4\* SECTION 2442h.** 100.52 (4) (c) of the statutes is created to read:

9           100.52 (4) (c) A telephone solicitor or employee or contractor of a telephone  
10 solicitor that makes a telephone solicitation to a nonresidential customer shall, upon  
11 the request of the nonresidential customer, provide the mailing address for notifying  
12 the telephone solicitor that the nonresidential customer does not wish to receive  
13 telephone solicitations.

14           **\*b0768/4.4\* SECTION 2443b.** 100.52 (5) of the statutes is created to read:

15           100.52 (5) NONPROFIT ORGANIZATION REQUIREMENTS. A nonprofit organization or  
16 an employee or contractor of a nonprofit organization may not make a telephone  
17 solicitation to a residential customer if the residential customer has provided notice  
18 by telephone, mail, or facsimile transmission to the nonprofit organization that the  
19 residential customer does not wish to receive telephone solicitations. A nonprofit  
20 organization may not require an employee or contractor to make a telephone  
21 solicitation that violates this subsection.

22           **\*b0768/4.4\* SECTION 2444b.** 100.52 (6) of the statutes is created to read:

23           100.52 (6) EXCEPTIONS. Subsections (4) (a) 2. and 3. and (5) do not apply to a  
24 telephone solicitation that satisfies any of the following:

1           (a) The telephone solicitation is made to a recipient in response to the  
2 recipient's express written request for the telephone solicitation.

3           (b) The telephone solicitation is made to a recipient who is a current client of  
4 the person selling the property, goods, or services, or receiving the contribution,  
5 donation, grant, or pledge of money, credit, property, or other thing of any kind, that  
6 is the reason for the telephone solicitation. This paragraph does not apply if the  
7 recipient is a current client of an affiliate of such a person, but is not a current client  
8 of such a person.

9           **\*b0768/4.4\* SECTION 2445b.** 100.52 (7) of the statutes is created to read:

10           100.52 (7) TERRITORIAL APPLICATION. This section applies to any interstate  
11 telephone solicitation received by a person in this state and to any intrastate  
12 telephone solicitation.

13           **\*b0768/4.4\* SECTION 2446b.** 100.52 (8) of the statutes is created to read:

14           100.52 (8) PRIVATE CAUSE OF ACTION. Any person who suffers damages as the  
15 result of another person violating this section may bring an action against the person  
16 who violated this section to recover the amount of those damages.

17           **\*b0768/4.4\* SECTION 2446d.** 100.52 (9) of the statutes is created to read:

18           100.52 (9) ENFORCEMENT. The department shall investigate violations of this  
19 section and may bring an action for temporary or permanent injunctive or other relief  
20 for any violation of this section.

21           **\*b0768/4.4\* SECTION 2446f.** 100.52 (10) of the statutes is created to read:

22           100.52 (10) PENALTIES. (a) Except as provided in par. (b), a person who violates  
23 this section may be required to forfeit not less than \$100 nor more than \$500 for each  
24 violation.

1 (b) A telephone solicitor that violates sub. (4) or a nonprofit organization that  
2 violates sub. (5) may be required to forfeit not less than \$1,000 nor more than \$10,000  
3 for each violation.”.

4 \*b2215/1.1\* **1177.** Page 890, line 25: after that line insert:

5 \*b2215/1.1\* “SECTION 2447x. 101.02 (15) (a) of the statutes is amended to read:

6 101.02 (15) (a) The department has such supervision of every employment,  
7 place of employment and public building in this state as is necessary adequately to  
8 enforce and administer all laws and all lawful orders requiring such employment,  
9 place of employment or public building to be safe, and requiring the protection of the  
10 life, health, safety and welfare of every employe in such employment or place of  
11 employment and every frequenter of such place of employment, and the safety of the  
12 public or tenants in any such public building. This Except for the purposes of  
13 enforcing and administering s. 101.22, this paragraph does not apply to occupational  
14 safety and health issues covered by standards established and enforced by the  
15 federal occupational safety and health administration.”.

16 \*b2218/1.1\* **1178.** Page 890, line 25: after that line insert:

17 \*b2218/1.1\* “SECTION 2446r. 101.01 (11) of the statutes is amended to read:

18 101.01 (11) “Place of employment” includes every place, whether indoors or out  
19 or underground and the premises appurtenant thereto where either temporarily or  
20 permanently any industry, trade, or business is carried on, or where any process or  
21 operation, directly or indirectly related to any industry, trade, or business, is carried  
22 on, and where any person is, directly or indirectly, employed by another for direct or  
23 indirect gain or profit, but does not include any place where persons are employed  
24 in private domestic service which does not involve the use of mechanical power or in

1 farming. “Farming” includes those activities specified in s. 102.04 (3), ~~and also~~  
2 ~~includes~~; the transportation of farm products, supplies, or equipment directly to the  
3 farm by the operator of said the farm or employees for use thereon, if such activities  
4 are directly or indirectly for the purpose of producing commodities for market, or as  
5 an accessory to such production; and the operation of a horse boarding facility or  
6 horse training facility that does not contain an area for the public to view a horse  
7 show and that is first operated on or after August 1, 2000. When used with relation  
8 to building codes, “place of employment” does not include an adult family home, as  
9 defined in s. 50.01 (1), or, except for the purposes of s. 101.11, a previously constructed  
10 building used as a community-based residential facility, as defined in s. 50.01 (1g),  
11 which serves 20 or fewer residents who are not related to the operator or  
12 administrator.

13 \*b2218/1.1\* SECTION 2446rb. 101.01 (11) of the statutes, as affected by 2001  
14 Wisconsin Act .... (this act), is amended to read:

15 101.01 (11) “Place of employment” includes every place, whether indoors or out  
16 or underground and the premises appurtenant thereto where either temporarily or  
17 permanently any industry, trade, or business is carried on, or where any process or  
18 operation, directly or indirectly related to any industry, trade, or business, is carried  
19 on, and where any person is, directly or indirectly, employed by another for direct or  
20 indirect gain or profit, but does not include any place where persons are employed  
21 in private domestic service which does not involve the use of mechanical power or in  
22 farming. “Farming” includes those activities specified in s. 102.04 (3); and also  
23 includes the transportation of farm products, supplies, or equipment directly to the  
24 farm by the operator of the farm or employees for use thereon, if such activities are  
25 directly or indirectly for the purpose of producing commodities for market, or as an

1     accessory to such production; ~~and the operation of a horse boarding facility or horse~~  
2     ~~training facility that does not contain an area for the public to view a horse show and~~  
3     ~~that is first operated on or after August 1, 2000.~~ When used with relation to building  
4     codes, “place of employment” does not include an adult family home, as defined in s.  
5     50.01 (1), or, except for the purposes of s. 101.11, a previously constructed building  
6     used as a community-based residential facility, as defined in s. 50.01 (1g), which  
7     serves 20 or fewer residents who are not related to the operator or administrator.

8           **\*b2218/1.1\* SECTION 2447d.** 101.01 (12) of the statutes is amended to read:

9           101.01 (12) “Public building” means any structure, including exterior parts of  
10     such building, such as a porch, exterior platform, or steps providing means of ingress  
11     or egress, used in whole or in part as a place of resort, assemblage, lodging, trade,  
12     traffic, occupancy, or use by the public or by 3 or more tenants. When used in relation  
13     to building codes, “public building” does not include a horse boarding facility or horse  
14     training facility that does not contain an area for the public to view a horse show, the  
15     initial construction of which was begun on or after August 1, 2000, or a previously  
16     constructed building used as a community-based residential facility as defined in s.  
17     50.01 (1g) which serves 20 or fewer residents who are not related to the operator or  
18     administrator or an adult family home, as defined in s. 50.01 (1).

19           **\*b2218/1.1\* SECTION 2447db.** 101.01 (12) of the statutes, as affected by 2001  
20     Wisconsin Act .... (this act), is amended to read:

21           101.01 (12) “Public building” means any structure, including exterior parts of  
22     such building, such as a porch, exterior platform, or steps providing means of ingress  
23     or egress, used in whole or in part as a place of resort, assemblage, lodging, trade,  
24     traffic, occupancy, or use by the public or by 3 or more tenants. When used in relation  
25     to building codes, “public building” does not include ~~a horse boarding facility or horse~~

1 training facility that does not contain an area for the public to view a horse show, the  
2 initial construction of which was begun on or after August 1, 2000, or a previously  
3 constructed building used as a community-based residential facility as defined in s.  
4 50.01 (1g) which serves 20 or fewer residents who are not related to the operator or  
5 administrator or an adult family home, as defined in s. 50.01 (1).”.

6 \*b1449/1.1\* **1179.** Page 891, line 4: after that line insert:

7 \*b1449/1.1\* “SECTION 2449d. 101.10 (2) of the statutes, as created by 2001  
8 Wisconsin Act 3, is amended to read:

9 101.10 (2) RULES. The department shall promulgate rules that prescribe  
10 reasonable standards relating to the safe storage and handling of anhydrous  
11 ammonia. The rules shall prescribe standards for the design, construction, repair,  
12 alteration, location, installation, inspection, and operation of anhydrous ammonia  
13 equipment. The Except as otherwise provided in this subsection, the rules  
14 promulgated under this subsection do not apply to ammonia manufacturing plants,  
15 refrigeration plants where ammonia is used solely as a refrigerant, facilities where  
16 ammonia is used in pollution control devices or is manufactured, electric generating  
17 or cogenerating facilities where ammonia is used as a refrigerant, and ammonia  
18 transportation pipelines. If ammonia is used on the premises of a facility or plant  
19 described under this subsection for a purpose or in a manner that is not related to  
20 the applicable exemption from the rules promulgated under this subsection, the  
21 exemption does not apply to that use.”.

22 \*b2215/1.2\* **1180.** Page 898, line 25: after that line insert:

23 \*b2215/1.2\* “SECTION 2490b. 101.19 (1) (ig) of the statutes is created to read:

1           101.19 (1) (ig) Authorizing crane operator certification programs under s.  
2           101.22 (2).

3           **\*b2215/1.2\* SECTION 2490f.** 101.22 of the statutes is created to read:

4           **101.22 Crane operators. (1) DEFINITION.** In this section, “crane” means a  
5           power-operated hoisting machine that is used in construction, demolition, or  
6           excavation work, that has a power-operated winch and load line, and that has a  
7           power-operated boom that moves laterally by the rotation of the machine on a  
8           carrier. “Crane” does not include a forklift, a digger derrick truck, a bucket truck,  
9           a boom truck used for sign erection, or a machine with a movable bridge carrying a  
10          movable or fixed hoisting mechanism and traveling on an overhead, fixed, runway  
11          structure.

12          **(2) CERTIFICATION.** (a) *Certification required.* Except as provided in sub. (5),  
13          no individual may operate a crane with a lifting capacity of 15 tons or more in this  
14          state without a valid crane operator certificate, received from a crane operator  
15          certification program authorized by the department under sub. (3).

16          (b) *Employer liability.* No employer may permit an employee to perform work  
17          in violation of par. (a).

18          (c) *Contractor and subcontractor liability.* No person who is under a contract  
19          to construct an improvement to land may permit an agent of the person, or an  
20          independent contractor under contract with the person, to perform work on the  
21          improvement in violation of par. (a).

22          **(3) CERTIFICATION PROGRAMS.** (a) *Generally.* Except as provided in sub. (4), the  
23          department shall administer a program under which the department authorizes  
24          crane operator certification programs to grant certificates that satisfy sub. (2) (a).

1           (b) *Required components of certification programs.* The department may  
2 authorize a crane operator certification program only if all of the following are  
3 satisfied:

4           1. The program requires an individual who is applying for a certificate to  
5 satisfactorily complete a written examination regarding safe crane operation.

6           2. The program requires an individual who is applying for a certificate to meet  
7 physical standards necessary for safe crane operation, consistent with any national  
8 standard that the department determines is appropriate.

9           3. The program requires an individual who is applying for a certificate to  
10 satisfactorily complete a practical examination regarding safe crane operation,  
11 unless the individual is applying for recertification and provides sufficient evidence  
12 that the individual has safely completed at least 1,000 hours of crane operation  
13 during the 5-year period before the date of the application for recertification.

14           4. The program is consistent with any applicable certification and  
15 recertification requirements established by the federal occupational safety and  
16 health administration and, to the extent feasible, the National Commission for the  
17 Certification of Crane Operators.

18           5. The program issues a crane operator certificate that has a term of 5 years.

19           (c) *Rules.* The department shall promulgate rules to administer the program  
20 established under par. (a).

21           (d) *List.* The department shall maintain a list of crane operator certification  
22 programs authorized by the department.

23           (4) **FEDERAL APPROVAL.** The department shall submit to the federal secretary  
24 of labor a plan for the certification of crane operators under this section, if required  
25 to do so under 29 USC 667 (b), and shall request the federal secretary of labor to

1 approve the plan. The plan submitted by the department shall be consistent with  
2 all of the provisions of this section. If no approval is required under 29 USC 667 (b)  
3 or if an approval that is consistent with all of the provisions of this section is granted  
4 and in effect, the department shall implement the program under this section. If  
5 approval is required under 29 USC 667 (b), the department may not implement the  
6 program under this section unless an approval that is consistent with all of the  
7 provisions of this section is granted and in effect.

8 (5) EXCEPTIONS. (a) *Lack of federal approval.* Subsection (2) (a) does not apply  
9 if approval of the department's plan for the certification of crane operators is required  
10 under 29 USC 667 (b) but is not granted and in effect.

11 (b) *Other exceptions.* Subsection (2) (a) does not apply to any of the following:

12 1. An individual who is receiving training as a crane operator, if the individual  
13 is under the direct supervision of a crane operator who holds a valid crane operator  
14 certificate, received from a crane operator certification program authorized by the  
15 department under sub. (3).

16 2. An individual who is a member of a uniformed service, as defined in s. 6.22  
17 (1) (c), or who is a member of the U.S. merchant marine, if the individual is  
18 performing work for the uniformed service of which the individual is a member or for  
19 the U.S. merchant marine, respectively.

20 3. An individual who is operating a crane for personal use on a premises that  
21 is owned or leased by the individual.

22 4. An individual who is operating a crane in an attempt to remedy an  
23 emergency.

24 5. An individual who is an employee or subcontractor of a public utility, as  
25 defined in s. 196.01 (5), a cooperative association organized under ch. 185 for the

1 purpose of producing or furnishing heat, light, power, or water to its members only,  
2 a telecommunications carrier, as defined in s. 196.01 (8m), a commercial mobile radio  
3 service provider, as defined in s. 196.01 (2g), or an alternative telecommunications  
4 utility under s. 196.01 (1d) (f), and who is operating a crane within the scope of his  
5 or her employment or contract.

6 6. An individual who is operating a crane in the construction, operation, or  
7 maintenance of an electric substation.

8 7. An individual who is affected by a collective bargaining agreement that  
9 contains provisions that are inconsistent with sub. (2) (a).

10 (6) PENALTIES. Any person who violates sub. (2) may be fined not more than  
11 \$500 or imprisoned for not more than 3 months or both.”.

12 \*b1572/1.1\* **1181.** Page 901, line 22: after that line insert:

13 \*b1572/1.1\* “SECTION 2539c. 101.9203 (1) of the statutes is amended to read:  
14 101.9203 (1) The Except as provided in subs. (3) and (4), the owner of a  
15 manufactured home situated in this state or intended to be situated in this state  
16 shall make application for certificate of title under s. 101.9209 for the manufactured  
17 home if the owner has newly acquired the manufactured home.

18 \*b1572/1.1\* SECTION 2539d. 101.9203 (4) of the statutes is created to read:  
19 101.9203 (4) The owner of a manufactured home that is situated in this state  
20 or intended to be situated in this state is not required to make application for a  
21 certificate of title under s. 101.9209 if the owner of the manufactured home intends,  
22 upon acquiring the manufactured home, to permanently affix the manufactured  
23 home to land that the owner of the manufactured home owns.”.

24 \*b1572/1.2\* **1182.** Page 902, line 5: after that line insert:

1           **\*b1572/1.2\*** “SECTION 2539n. 101.9209 (1) (a) of the statutes is amended to  
2 read:

3           101.9209 (1) (a) If an owner transfers an interest in a manufactured home,  
4 other than by the creation of a security interest, the owner shall, at the time of the  
5 delivery of the manufactured home, execute an assignment and warranty of title to  
6 the transferee in the space provided therefor on the certificate, and cause the  
7 certificate to be mailed or delivered to the transferee. This paragraph does not apply  
8 if the owner has no certificate of title as a result of the exemption under s. 101.9203  
9 (4).

10           **\*b1572/1.2\*** SECTION 2539nc. 101.9209 (2) of the statutes is amended to read:

11           101.9209 (2) Promptly Except as otherwise provided in this subsection,  
12 promptly after delivery to him or her of the manufactured home, the transferee shall  
13 execute the application for a new certificate of title in the space provided therefor on  
14 the certificate or as the department prescribes, and cause the certificate and  
15 application to be mailed or delivered to the department. This subsection does not  
16 apply to a transferee who is exempt from making application for a certificate of title  
17 under s. 101.9203 (4).

18           **\*b1572/1.2\*** SECTION 2539nf. 101.9209 (3) of the statutes is amended to read:

19           101.9209 (3) A transfer by an owner is not effective until the applicable  
20 provisions of this section have been complied with. An owner who has delivered  
21 possession of the manufactured home to the transferee and has complied with the  
22 provisions of this section requiring action by him or her is not liable as owner for any  
23 damages thereafter resulting from use of the mobile home.

24           **\*b1572/1.2\*** SECTION 2539nh. 101.9209 (5) (a) and (b) of the statutes are  
25 amended to read:

1           101.9209 (5) (a) Any transferee of a ~~mobile~~ manufactured home who fails to  
2 make application for a new certificate of title immediately upon transfer to him or  
3 her of a manufactured home as required under sub. (2) may be required to forfeit not  
4 more than \$200.

5           (b) Any transferee of a manufactured home who, with intent to defraud, fails  
6 to make application for a new certificate of title immediately upon transfer to him  
7 or her of a manufactured home as required under sub. (2) may be fined not more than  
8 \$1,000 or imprisoned for not more than 30 days or both.

9           **\*b1572/1.2\* SECTION 2539nj.** 101.921 (1) (a) of the statutes is amended to read:

10           101.921 (1) (a) Except as provided in par. (b), if a manufactured home dealer  
11 acquires a manufactured home and holds it for resale or accepts a manufactured  
12 home for sale on consignment, the manufactured home dealer may not submit to the  
13 department the certificate of title or application for certificate of title naming the  
14 manufactured home dealer as owner of the manufactured home. Upon transferring  
15 the manufactured home to another person, the manufactured home dealer shall  
16 immediately give the transferee, on a form prescribed by the department, a receipt  
17 for all title, security interest and sales tax moneys paid to the manufactured home  
18 dealer for transmittal to the department when required. The Unless the  
19 manufactured home has no certificate of title as a result of the exemption under s.  
20 101.9203 (4), the manufactured home dealer shall promptly execute the assignment  
21 and warranty of title, showing the name and address of the transferee and of any  
22 secured party holding a security interest created or reserved at the time of the resale  
23 or sale on consignment, in the spaces provided therefor on the certificate or as the  
24 department prescribes. Within 7 business days following the sale or transfer, the  
25 manufactured home dealer shall mail or deliver the certificate or application for

1 certificate to the department with the transferee's application for a new certificate,  
2 unless the transferee is exempt from making application for a certificate of title  
3 under s. 101.9203 (4). A nonresident who purchases a manufactured home from a  
4 manufactured home dealer in this state may not, unless otherwise authorized by rule  
5 of the department, apply for a certificate of title issued for the manufactured home  
6 in this state unless the manufactured home dealer determines that a certificate of  
7 title is necessary to protect the interests of a secured party. The manufactured home  
8 dealer is responsible for determining whether a certificate of title and perfection of  
9 security interest is required. The manufactured home dealer is liable for any  
10 damages incurred by the department or any secured party for the manufactured  
11 home dealer's failure to perfect a security interest that the manufactured home  
12 dealer had knowledge of at the time of sale.

13 **\*b1572/1.2\* SECTION 2539nL.** 101.9211 (1) of the statutes is amended to read:

14 101.9211 (1) If the interest of an owner in a manufactured home passes to  
15 another other than by voluntary transfer, the transferee shall, except as provided in  
16 sub. (2), promptly mail or deliver to the department the last certificate of title, if  
17 available, and the any documents required by the department to legally effect such  
18 transfer, and. The transferee shall also promptly mail or deliver to the department  
19 an application for a new certificate in the form that the department prescribes,  
20 unless the transferee is exempt from making application for a certificate of title  
21 under s. 101.9203 (4).

22 **\*b1572/1.2\* SECTION 2539nn.** 101.9211 (2) of the statutes is amended to read:

23 101.9211 (2) If the interest of the owner is terminated or the manufactured  
24 home is sold under a security agreement by a secured party named in the certificate  
25 of title, the transferee shall promptly mail or deliver to the department the last

1 certificate of title, unless there is no certificate of title as a result of the exemption  
2 under s. 101.9203 (4), an application for a new certificate in the form that the  
3 department prescribes, unless the transferee is exempt from making application for  
4 a certificate of title under s. 101.9203 (4), and a statement made by or on behalf of  
5 the secured party that the manufactured home was repossessed and that the interest  
6 of the owner was lawfully terminated or sold under the terms of the security  
7 agreement.

8 \*b1572/1.2\* SECTION 2539np. 101.9211 (4) (a) 2. of the statutes is amended to  
9 read:

10 101.9211 (4) (a) 2. The title executed by such administrator, executor, guardian  
11 or trustee, except that this subdivision does not apply if there is no certificate of title  
12 as a result of the exemption under s. 101.9203 (4).

13 \*b1572/1.2\* SECTION 2539nr. 101.9211 (4) (b) 1. (intro.) of the statutes is  
14 amended to read:

15 101.9211 (4) (b) 1. (intro.) The Except as provided under subd. 1m., the  
16 department shall transfer the decedent's interest in any manufactured home to his  
17 or her surviving spouse upon receipt of the title executed by the surviving spouse and  
18 a statement by the spouse that states all of the following:

19 \*b1572/1.2\* SECTION 2539nt. 101.9211 (4) (b) 1m. of the statutes is created to  
20 read:

21 101.9211 (4) (b) 1m. The department may not require a surviving spouse to  
22 provide an executed title to a manufactured home under subd. 1. if the manufactured  
23 home has no certificate of title as a result of the exemption under s. 101.9203 (4).

24 \*b1572/1.2\* SECTION 2539nv. 101.9211 (4) (b) 2. of the statutes is amended to  
25 read:

1           101.9211 (4) (b) 2. The transfer of a manufactured home under this paragraph  
2 shall not affect any liens upon the manufactured home.

3           **\*b1572/1.2\* SECTION 2539nw.** 101.9212 (1) and (2) of the statutes are  
4 amended to read:

5           101.9212 (1) The Except as otherwise provided in this subsection, the  
6 department, upon receipt of a properly assigned certificate of title, with an  
7 application for a new certificate of title, the required fee and any other transfer  
8 documents required by law, to support the transfer, shall issue a new certificate of  
9 title in the name of the transferee as owner. The department may not require a  
10 person to provide a properly assigned certificate of title if the manufactured home  
11 for which the new certificate of title is requested has no certificate of title as a result  
12 of the exemption under s. 101.9203 (4).

13           **\*b1572/1.2\* SECTION 2539ny.** 101.9218 (2) of the statutes is amended to read:

14           101.9218 (2) FIXTURES EXCLUDED. Notwithstanding ss. 101.921 to 101.9217, the  
15 method provided in ss. 101.921 to 101.9217 of perfecting and giving notice of security  
16 interests does not apply to a manufactured home that is a fixture to real estate or to  
17 a manufactured home that the owner intends, upon acquiring, to permanently affix  
18 to land that the owner of the manufactured home owns.”.

19           **\*b0977/1.4\* 1183.** Page 902, line 17: delete lines 17 to 21.

20           **\*b0977/1.5\* 1184.** Page 903, line 4: delete lines 4 to 17.

21           **\*b0953/1.2\* 1185.** Page 904, line 24: after that line insert:

22           **\*b0953/1.2\* “SECTION 2558h.** 103.49 (3) (a) of the statutes is amended to read:  
23           103.49 (3) (a) Before bids are asked for any work to which this section applies,  
24           the state agency having the authority to prescribe the specifications shall apply to

#6 X ✓

1 the department to determine the prevailing wage rate for each trade or occupation  
2 required in the work under contemplation in the area in which the work is to be done.  
3 The department shall conduct investigations and hold public hearings as necessary  
4 to define the trades or occupations that are commonly employed on projects that are  
5 subject to this section and to inform itself as to the prevailing wage rates in all areas  
6 of the state for those trades or occupations, in order to determine the prevailing wage  
7 rate for each trade or occupation. In defining those trades or occupations, the  
8 department may not define swimming pool installer as a separate trade or  
9 occupation for purposes of determining the prevailing wage rates for the trades or  
10 occupations that are commonly employed in the construction of swimming pools. The  
11 department shall issue its determination within 30 days after receiving the request  
12 and shall file the determination with the requesting state agency. For the  
13 information of the employees working on the project, the prevailing wage rates  
14 determined by the department, the prevailing hours of labor and the provisions of  
15 subs. (2) and (6m) shall be kept posted by the state agency in at least one conspicuous  
16 and easily accessible place on the site of the project.”

17 \*b2050/2.2\* **1186.** Page 904, line 24: after that line insert:

18 \*b2050/2.2\* **SECTION 2558h.** 103.49 (3) (a) of the statutes is amended to read:

19 103.49 (3) (a) Before bids are asked for any work to which this section applies,  
20 the state agency having the authority to prescribe the specifications shall apply to  
21 the department to determine the prevailing wage rate for each trade or occupation  
22 required in the work under contemplation in the area in which the work is to be done.  
23 The department shall conduct investigations and hold public hearings as necessary  
24 to define the trades or occupations that are commonly employed on projects that are

#6 X

1 subject to this section and to inform itself as to the prevailing wage rates in all areas  
 2 of the state for those trades or occupations, in order to determine the prevailing wage  
 3 rate for each trade or occupation. In defining those trades or occupations, the  
 4 department shall define metal building assembler as a separate trade or occupation  
 5 for purposes of determining the prevailing wage rates for that trade or occupation  
 6 and shall include among the typical duties of that trade or occupation reroofing and  
 7 repairing existing prefabricated, packaged metal buildings and constructing  
 8 prefabricated, packaged metal additions to existing prefabricated, packaged metal  
 9 buildings. The department shall issue its determination within 30 days after  
 10 receiving the request and shall file the determination with the requesting state  
 11 agency. For the information of the employees working on the project, the prevailing  
 12 wage rates determined by the department, the prevailing hours of labor and the  
 13 provisions of subs. (2) and (6m) shall be kept posted by the state agency in at least  
 14 one conspicuous and easily accessible place on the site of the project.”

INSET  
 4/20/14  
 5/20/14

15 \*b0929/1.1\* **1187.** Page 907, line 14: after that line insert:

16 \*b0929/1.1\* “SECTION 2559k. 103.67 (2) (j) of the statutes is amended to read:

17 103.67 (2) (j) Minors under 14 years of age may be employed as participants  
 18 in a restitution project under s. 938.245 (2) (a) 5., 938.32 (1t) (a), 938.34 (5), or 938.345  
 19 ~~or~~, in a supervised work program or other community service work under s. 938.245  
 20 (2) (a) 6., 938.32 (1t) (b), 938.34 (5g), 938.343 (3), or 938.345, or in the community  
 21 service component of a youth report center program under s. 938.245 (2) (a) 9m.,  
 22 938.32 (1p), 938.34 (7j), 938.342 (1d) (c) or (1g) (k), 938.343 (3m), 938.344 (2g) (a) 5.,  
 23 938.345, or 938.355 (6) (d) 5. or (6m) (a) 4.”.

24 \*b1550/1.3\* **1188.** Page 908, line 1: delete lines 1 to 15.

1           **\*b1994/8.45\* 1189.** Page 908, line 22: delete "13.171" and substitute  
2           "13.172".

      \*\*\*NOTE: Corrects cross-reference.

3           **\*b1795/2.4\* 1190.** Page 912, line 2: after that line insert:

4           **\*b1795/2.4\* "SECTION 2585t.** 106.215 (7) (am) of the statutes is amended to  
5           read:

6           106.215 (7) (am) *Human services activities; appropriations.* Moneys  
7           appropriated under s. 20.445 (6) (b), (j) and (m) may be utilized for human services  
8           activities as authorized under those appropriations."

9           **\*b2221/3.125\* 1191.** Page 912, line 2: after that line insert:

*repealed.*

*Fix  
comp*

10           **\*b2221/3.125\* "SECTION 2586r.** 106.215 (7) (c) of the statutes is ~~amended to~~

*repealed*

11           ~~106.215 (7) (c) *Conservation fund appropriation.* Notwithstanding par. (a),  
12           moneys appropriated under s. 20.445 (6) (u) that are not derived from the forestation  
13           state tax under s. 70.58 may be utilized for any project approved by the board  
14           regardless of whether the project consists in whole or in part of conservation  
15           activities."~~

17           **\*b1025/1.1\* 1192.** Page 912, line 11: after that line insert:

18           **\*b1025/1.1\* "SECTION 2599m.** 110.07 (1) (a) 1. of the statutes is amended to  
19           read:

20           110.07 (1) (a) 1. Enforce and assist in the administration of this chapter and  
21           chs. 166, 194, 218, 341 to 349, and 351, and ss. 23.33, 125.07 (4) (b), 125.085 (3) (b),  
22           167.10 (3) (a), 167.31 (2) (b) to (d), and 287.81 and ch. 350 where applicable to  
23           highways, or orders or rules issued pursuant thereto.

Change to

106.215 (7) (c) Conservation fund appropriation. Notwithstanding par. (a),  
moneys appropriated under s. 20.445 (6) (u) that are not derived from the forestation  
state tax under s. 70.58 may be utilized for any project approved by the board  
regardless of whether the project consists in whole or in part of conservation  
activities."

per  
MGG

126. Page 917, line 22: after that line insert:

"SECTION 2669m. 118.025 of the statutes is amended to read:

118.025 Arbor day observance. A school principal may request one free tree  
provided from state forest nurseries by the department of natural resources forestry  
under s. 28.06 for each 4th grade pupil in the school for planting in conjunction with  
an annual observance and celebration of arbor day."

per  
MGG

127. Page 939, line 16: after that line insert:

"SECTION 2813m. 134.60 of the statutes is amended to read:

134.60 Cutting or transportation of evergreens. No person may cut for  
sale in its natural condition and untrimmed, with or without roots, any evergreen or  
coniferous tree, branch, bough, bush, sapling or shrub, from the lands of another  
without the written consent of the owner, whether such land is publicly or privately  
owned. The written consent shall contain the legal description of the land where the  
tree, branch, bough, bush, sapling or shrub was cut, as well as the name of the legal  
owner. The written consent or a certified copy of the consent shall be carried by every  
person in charge of the cutting or removing of the trees, branches, boughs, bushes,  
saplings or shrubs, and shall be exhibited to any officer of the law, state forest ranger,  
forest patrol officer, conservation warden, or other officer of the department of  
natural resources or the department of forestry at the officer's request at any time.

KG

1           **\*b1025/1.1\* SECTION 2599mg.** 110.07 (1) (b) of the statutes is amended to read:

2           110.07 (1) (b) All municipal judges, judges, district attorneys, and law  
3 enforcement officers shall assist in enforcing this chapter, ss. 167.10 (3) (a), 167.31  
4 (2) (b) to (d), and 287.81 and chs. 194, 218, and 341 to 351, and orders or rules issued  
5 pursuant thereto and shall report to the department the disposition of every uniform  
6 traffic citation issued for cases involving those chapters.”.

7           **\*b1043/1.4\* 1193.** Page 912, line 20: after that line insert:

8           **\*b1043/1.4\* “SECTION 2609j.** 111.70 (1) (j) of the statutes is amended to read:

9           111.70 (1) (j) “Municipal employer” means any city, county, village, town,  
10 metropolitan sewerage district, school district, family care district, or any other  
11 political subdivision of the state, or instrumentality of one or more political  
12 subdivisions of the state, that engages the services of an employee and includes any  
13 person acting on behalf of a municipal employer within the scope of the person’s  
14 authority, express or implied, but specifically does not include a local cultural arts  
15 district created under subch. V of ch. 229.”.

16           **\*b1364/1.3\* 1194.** Page 912, line 20: after that line insert:

17           **\*b1364/1.3\* “SECTION 2606m.** 111.335 (1) (cv) of the statutes is created to read:

18           111.335 (1) (cv) Notwithstanding s. 111.322, it is not employment  
19 discrimination because of conviction record to refuse to employ in a position in the  
20 classified service, in a position described in s. 230.08 (2) (k), or as a corps enrollee with  
21 the Wisconsin conservation corps under s. 106.215 (1) (c) a person who has been  
22 convicted under 50 USC, Appendix, section 462 for refusing to register with the  
23 selective service system and who has not been pardoned.”.

24           **\*b2140/2.1\* 1195.** Page 912, line 20: after that line insert:

1           **\*b2140/2.1\* SECTION 2607c.** 111.70 (1) (nc) 1. d. of the statutes is created to  
2 read:

3           111.70 (1) (nc) 1. d. A proposal to maintain all conditions of employment as the  
4 conditions existed on the 90th day prior to the expiration of the previous collective  
5 bargaining agreement between the parties or the 90th day prior to commencement  
6 of negotiations if there is no previous collective bargaining agreement between the  
7 parties.

8           **\*b2140/2.1\* SECTION 2607h.** 111.70 (1) (nc) 1. e. of the statutes is created to  
9 read:

10           111.70 (1) (nc) 1. e. A proposal to maintain any provision relating to a subject  
11 of collective bargaining on which the municipal employer was not required to bargain  
12 that existed in the previous collective bargaining agreement between the parties or  
13 that existed on the 90th day prior to the expiration of the previous collective  
14 bargaining agreement between the parties.

15           **\*b2140/2.1\* SECTION 2607p.** 111.70 (4) (cm) 5s. of the statutes is amended to  
16 read:

17           111.70 (4) (cm) 5s. 'Issues subject to arbitration.' In a collective bargaining unit  
18 consisting of school district professional employees, the municipal employer or the  
19 labor organization may petition the commission to determine whether the municipal  
20 employer has submitted a timely qualified economic offer. The commission shall  
21 appoint an investigator for that purpose. If the investigator, using the methodology  
22 prescribed under subd. 8t., finds that the municipal employer has submitted a timely  
23 qualified economic offer, the investigator shall determine whether a deadlock exists  
24 between the parties with respect to all economic issues. If the municipal employer  
25 submits a timely qualified economic offer applicable to any period beginning on or

1 after July 1, 1993, no economic issues are subject to interest arbitration under subd.  
2 6. for that period, except that only the impact of contracting out or subcontracting  
3 work that would otherwise be performed by municipal employees in the collective  
4 bargaining unit is subject to interest arbitration under subd. 6. In such a collective  
5 bargaining unit, economic issues concerning the wages, hours or conditions of  
6 employment of the school district professional employees in the unit for any period  
7 prior to July 1, 1993, are subject to interest arbitration under subd. 6. for that period.  
8 In such a collective bargaining unit, noneconomic issues applicable to any period on  
9 or after July 1, 1993, are subject to interest arbitration after the parties have  
10 reached agreement and stipulate to agreement on all economic issues concerning the  
11 wages, hours or conditions of employment of the school district professional  
12 employees in the unit for that period. In such a collective bargaining unit, if the  
13 commission's investigator finds that the municipal employer has submitted a timely  
14 qualified economic offer and that a deadlock exists between the parties with respect  
15 to all economic issues, the municipal employer may implement the qualified  
16 economic offer. On the 90th day prior to expiration of the period included within the  
17 qualified economic offer, if no agreement exists on that day, the parties are deemed  
18 to have stipulated to the inclusion in a new or revised collective bargaining  
19 agreement of all provisions of any predecessor collective bargaining agreement  
20 concerning economic issues, or of all provisions of any existing collective bargaining  
21 agreement concerning economic issues if the parties have reopened negotiations  
22 under an existing agreement, as modified by the terms of the qualified economic offer  
23 and as otherwise modified by the parties. In such a collective bargaining unit, on and  
24 after that 90th day, a municipal employer that refuses to bargain collectively with  
25 respect to the terms of that stipulation, applicable to the 90-day period prior to

1 expiration of the period included within the qualified economic offer, does not violate  
2 sub. (3) (a) 4. Any such unilateral implementation after August 11, 1993, during the  
3 90-day period prior to expiration of the period included within a qualified economic  
4 offer, operates as a full, final and complete settlement of all economic issues between  
5 the parties for the period included within the qualified economic offer. The failure  
6 of a labor organization to recognize the validity of such a lawful qualified economic  
7 offer does not affect the obligation of the municipal employer to submit economic  
8 issues to arbitration under subd. 6. If the investigator determines that the municipal  
9 employer has not submitted a timely qualified economic offer, either the municipal  
10 employer or the labor organization may petition for arbitration under subd. 6. to  
11 resolve any dispute relating to economic issues.

12 \*b2140/2.1\* SECTION 2607t. 111.70 (4) (cm) 8t. of the statutes is created to  
13 read:

14 111.70 (4) (cm) 8t. 'Methodology for determining qualified economic offers.' The  
15 commission shall prescribe by rule a methodology to be used in determining whether  
16 a collective bargaining proposal submitted by a municipal employer to a labor  
17 organization constitutes a qualified economic offer and whether such an offer is  
18 timely."

19 \*b1564/1.2\* 1196. Page 913, line 2: after that line insert:

20 \*b1564/1.2\* "SECTION 2615f. 111.93 (3) of the statutes is amended to read:

21 111.93 (3) Except as provided in ss. 7.33 (4), 40.05, 40.80 (3), 111.91 (1) (cm),  
22 230.35 (2d), 230.35 (3) (e) 6., and 230.88 (2) (b), if a collective bargaining agreement  
23 exists between the employer and a labor organization representing employees in a  
24 collective bargaining unit, the provisions of that agreement shall supersede the

1 provisions of civil service and other applicable statutes, as well as rules and policies  
2 of the board of regents of the University of Wisconsin System, related to wages, fringe  
3 benefits, hours, and conditions of employment whether or not the matters contained  
4 in those statutes, rules, and policies are set forth in the collective bargaining  
5 agreement.”.

6 **\*b2095/6.8\* 1197.** Page 913, line 2: after that line insert:

7 **\*b2095/6.8\* “SECTION 2615ag.** 111.81 (7) (f) of the statutes is created to read:

8 111.81 (7) (f) Instructional staff employed by the board of regents of the  
9 University of Wisconsin System who provide services for a charter school established  
10 by contract under s. 118.40 (2r) (cm).

11 **\*b2095/6.8\* SECTION 2615b.** 111.81 (9m) of the statutes is created to read:

12 111.81 (9m) “Instructional staff” has the meaning given in rules promulgated  
13 by the department of public instruction under s. 121.02 (1) (a) 2.

14 **\*b2095/6.8\* SECTION 2615bm.** 111.815 (1) of the statutes is amended to read:

15 111.815 (1) In the furtherance of this subchapter, the state shall be considered  
16 as a single employer and employment relations policies and practices throughout the  
17 state service shall be as consistent as practicable. The department shall negotiate  
18 and administer collective bargaining agreements. To coordinate the employer  
19 position in the negotiation of agreements, the department shall maintain close  
20 liaison with the legislature relative to the negotiation of agreements and the fiscal  
21 ramifications thereof. Except with respect to the collective bargaining units  
22 specified in s. 111.825 (1m) and (2) (f), the department is responsible for the employer  
23 functions of the executive branch under this subchapter, and shall coordinate its  
24 collective bargaining activities with operating state agencies on matters of agency

1 concern. The legislative branch shall act upon those portions of tentative  
2 agreements negotiated by the department which require legislative action. With  
3 respect to the collective bargaining units specified in s. 111.825 (1m), the University  
4 of Wisconsin Hospitals and Clinics Board is responsible for the employer functions  
5 under this subchapter. With respect to the collective bargaining unit specified in s.  
6 111.825 (2) (f), the governing board of the charter school established by contract  
7 under s. 118.40 (2r) (cm) 1. is responsible for the employer functions under this  
8 subchapter.

9 **\*b2095/6.8\* SECTION 2615h.** 111.815 (2) of the statutes is amended to read:

10 111.815 (2) In the furtherance of the policy under s. 111.80 (4), the secretary  
11 of the department shall establish a collective bargaining capability within the  
12 department outside of the division of merit recruitment and selection and shall,  
13 together with the appointing authorities or their representatives, represent the state  
14 in its responsibility as an employer under this subchapter except with respect to  
15 negotiations in the collective bargaining units specified in s. 111.825 (1m) and (2) (f).  
16 The secretary of the department shall establish and maintain, wherever practicable,  
17 consistent employment relations policies and practices throughout the state service.

18 **\*b2095/6.8\* SECTION 2615j.** 111.825 (2) (f) of the statutes is created to read:

19 111.825 (2) (f) Instructional staff employed by the board of regents of the  
20 University of Wisconsin System who provide services for a charter school established  
21 by contract under s. 118.40 (2r) (cm).

22 **\*b2095/6.8\* SECTION 2615L.** 111.84 (2) (c) of the statutes is amended to read:

23 111.84 (2) (c) To refuse to bargain collectively on matters set forth in s. 111.91  
24 (1) with the duly authorized officer or agent of the employer which is the recognized  
25 or certified exclusive collective bargaining representative of employees specified in

1 s. 111.81 (7) (a) in an appropriate collective bargaining unit or with the certified  
2 exclusive collective bargaining representative of employees specified in s. 111.81 (7)  
3 (b) ~~or (e)~~ to (f) in an appropriate collective bargaining unit. Such refusal to bargain  
4 shall include, but not be limited to, the refusal to execute a collective bargaining  
5 agreement previously orally agreed upon.

6 **\*b2095/6.8\* SECTION 2615n.** 111.91 (4) of the statutes is amended to read:

7 111.91 (4) The secretary of the department, in connection with the development  
8 of tentative collective bargaining agreements to be submitted under s. 111.92 (1) (a),  
9 shall endeavor to obtain tentative agreements with each recognized or certified labor  
10 organization representing employees or supervisors of employees specified in s.  
11 111.81 (7) (a) and with each certified labor organization representing employees  
12 specified in s. 111.81 (7) (b) ~~or (e)~~ to (e) which do not contain any provision for the  
13 payment to any employee of a cumulative or noncumulative amount of compensation  
14 in recognition of or based on the period of time an employee has been employed by  
15 the state.

16 **\*b2095/6.8\* SECTION 2615p.** 111.92 (1) (a) of the statutes is amended to read:

17 111.92 (1) (a) Any tentative agreement reached between the department,  
18 acting for the state, and any labor organization representing a collective bargaining  
19 unit specified in s. 111.825 (1) or (2) (a) to (c) shall, after official ratification by the  
20 labor organization, be submitted by the department to the joint committee on  
21 employment relations, which shall hold a public hearing before determining its  
22 approval or disapproval. If the committee approves the tentative agreement, it shall  
23 introduce in a bill or companion bills, to be put on the calendar or referred to the  
24 appropriate scheduling committee of each house, that portion of the tentative  
25 agreement which requires legislative action for implementation, such as salary and

1 wage adjustments, changes in fringe benefits, and any proposed amendments,  
2 deletions or additions to existing law. Such bill or companion bills are not subject to  
3 ss. 13.093 (1), 13.50 (6) (a) and (b) and 16.47 (2). The committee may, however, submit  
4 suitable portions of the tentative agreement to appropriate legislative committees  
5 for advisory recommendations on the proposed terms. The committee shall  
6 accompany the introduction of such proposed legislation with a message that informs  
7 the legislature of the committee's concurrence with the matters under consideration  
8 and which recommends the passage of such legislation without change. If the joint  
9 committee on employment relations does not approve the tentative agreement, it  
10 shall be returned to the parties for renegotiation. If the legislature does not adopt  
11 without change that portion of the tentative agreement introduced by the joint  
12 committee on employment relations, the tentative agreement shall be returned to  
13 the parties for renegotiation.

14 **\*b2095/6.8\* SECTION 2615r.** 111.92 (1) (c) of the statutes is created to read:

15 111.92 (1) (c) Any tentative agreement reached between the governing board  
16 of the charter school established by contract under s. 118.40 (2r) (cm), acting for the  
17 state, and any labor organization representing a collective bargaining unit specified  
18 in s. 111.825 (2) (f) shall, after official ratification by the labor organization and  
19 approval by the chancellor of the University of Wisconsin–Parkside, be executed by  
20 the parties.

21 **\*b2095/6.8\* SECTION 2615t.** 111.93 (2) of the statutes is amended to read:

22 111.93 (2) All civil service and other applicable statutes concerning wages,  
23 fringe benefits, hours and conditions of employment apply to employees specified in  
24 s. 111.81 (7) (a) who are not included in collective bargaining units for which a  
25 representative is recognized or certified and to employees specified in s. 111.81 (7)

1 (b) ~~or (e)~~ to (f) who are not included in a collective bargaining unit for which a  
2 representative is certified.”.

3 \*b1761/1.2\* **1198.** Page 913, line 10: after that line insert:

4 \*b1761/1.2\* “SECTION 2623g. 115.28 (30) (title), (a), and (b) (intro.) of the  
5 statutes are amended to read:

6 115.28 (30) (title) VOCATIONAL CAREER AND TECHNICAL STUDENT ORGANIZATIONS.

7 (a) Give priority to assisting school boards to operate ~~vocational~~ career and technical  
8 student organizations ~~for pupils pursuing related instruction and related career and~~  
9 technical education programs.

10 (b) (intro.) Provide in the department administrative leadership for career and  
11 technical student organizations and the following ~~vocational education consultants~~  
12 ~~and administrative, leadership and vocational~~ career and technical student  
13 organization educational consultants:

14 \*b1761/1.2\* SECTION 2623i. 115.28 (30) (b) 3. of the statutes is amended to  
15 read:

16 115.28 (30) (b) 3. Two full-time consultants in ~~technical~~ technology education.

17 \*b1761/1.2\* SECTION 2623k. 115.28 (30) (b) 4. of the statutes is amended to  
18 read:

19 115.28 (30) (b) 4. Two full-time consultants in family and consumer sciences  
20 education.

21 \*b1761/1.2\* SECTION 2623m. 115.28 (30) (b) 5. of the statutes is amended to  
22 read:

23 115.28 (30) (b) 5. ~~One~~ Two full-time consultant ~~and one half-time consultant~~  
24 consultants in marketing education.

1           **\*b1761/1.2\* SECTION 2623p.** 115.28 (30) (b) 6. of the statutes is created to read:

2           115.28 (30) (b) 6. One full-time consultant in health science education.

3           **\*b1761/1.2\* SECTION 2623r.** 115.28 (30) (d) of the statutes is amended to read:

4           115.28 (30) (d) Provide in the department, ~~within the integrated and applied~~  
5           ~~curricula team,~~ a vocational career and technical education and vocational career  
6           and technical student organizations ~~subteam~~ team consisting of those educational  
7           consultants specified in par. (b).”.

8           **\*b1191/1.4\* 1199.** Page 914, line 21: after that line insert:

9           **\*b1191/1.4\* “SECTION 2625w.** 115.28 (47) of the statutes is created to read:

10           115.28 (47) GRANT TO BELOIT COLLEGE. Annually award the amount  
11           appropriated under s. 20.255 (2) (kj) to Beloit College to educate children and adults  
12           in southern Wisconsin about Native American cultures.”.

13           **\*b1621/1.3\* 1200.** Page 914, line 21: after that line insert:

14           **\*b1621/1.3\* “SECTION 2630g.** 115.343 (title) and (1) of the statutes are  
15           amended to read:

16           **115.343 (title) Wisconsin morning school day milk program.** (1) The  
17           department shall establish a ~~morning~~ school day milk program. A school  
18           participating in the program shall offer each eligible child ~~a~~ one half-pint of  
19           Wisconsin-produced whole milk, 2% milk, 1.5% milk, one percent milk, 0.5% milk,  
20           skim milk or chocolate milk on each day in which school is in session. If a child is  
21           allergic to milk or has metabolic disorders or other conditions which prohibit him or  
22           her from drinking milk, the child shall be offered juice as a substitute. Any school  
23           that participates in the program is encouraged to consider bids from local milk  
24           suppliers. The school shall keep all information related to the identity of the pupils

1 who receive a beverage under the program confidential. In this subsection,  
2 “Wisconsin-produced” means that all or part of the raw milk used by the milk  
3 processor was produced in this state.

4 \*b1621/1.3\* **SECTION 2630h.** 115.343 (2) (c) of the statutes is created to read:  
5 115.343 (2) (c) The child does not receive the beverage during the school’s  
6 breakfast or lunch period.”.

7 \*b1738/1.1\* **1201.** Page 914, line 21: after that line insert:

8 \*b1738/1.1\* **SECTION 2635m.** 115.28 (49) of the statutes is created to read:  
9 115.28 (49) CHARTER SCHOOL REPORT. Annually report to the legislature, in the  
10 manner provided under s. 13.172 (2), on the status of existing charter schools, the  
11 number of petitions for new charter schools, and school board and departmental  
12 action on petitions for new charter schools.”.

13 \*b1743/2.2\* **1202.** Page 914, line 21: after that line insert:

14 \*b1743/2.2\* **SECTION 2638m.** 115.28 (50) of the statutes is created to read:  
15 115.28 (50) SPECIAL EDUCATION STUDY. Distribute a summary of study under s.  
16 36.11 (49) to each school district.”.

17 \*b2191/1.1\* **1203.** Page 914, line 21: after that line insert:

18 \*b2191/1.1\* **SECTION 2635L.** 115.28 (48) of the statutes is created to read:  
19 115.28 (48) VETERANS. Encourage school boards to invite armed forces veterans  
20 to school to discuss their experiences as veterans.”.

21 \*b2193/1.20\* **1204.** Page 914, line 21: after that line insert:

22 \*b2193/1.20\* **SECTION 2630m.** 115.31 (1) (b) of the statutes is amended to  
23 read:

1           115.31 (1) (b) “Educational agency” means a school district, cooperative  
2 educational service agency, state correctional institution under s. 302.01, secured  
3 correctional facility, as defined in s. 938.02 (15m), secured child caring institution,  
4 as defined in s. 938.02 (15g), the Wisconsin Center for the Blind and Visually  
5 Impaired, the Wisconsin ~~School~~ Educational Services Program for the Deaf and Hard  
6 of Hearing, the Mendota mental health institute, the Winnebago mental health  
7 institute, a state center for the developmentally disabled, a private school, or a  
8 private, nonprofit, nonsectarian agency under contract with a school board under s.  
9 118.153 (3) (c).”

10           **\*b2199/2.1\* 1205.** Page 914, line 22: delete the material beginning with that  
11 line and ending with page 915, line 2, and substitute:

12           **\*b2199/2.1\* “SECTION 2641m.** 115.38 (2) of the statutes is amended to read:  
13           115.38 (2) ~~By January 1, 1993, and annually thereafter~~ Annually by January  
14 1, each school board shall distribute to the parent or guardian of each pupil enrolled  
15 in the school district, including pupils enrolled in charter schools located in the school  
16 district, or give to each pupil to bring home to his or her parent or guardian, a school  
17 and school district performance report that includes the information specified by the  
18 state superintendent under sub. (1). The report shall also include a comparison of  
19 the school district’s performance under sub. (1) (a) and (b) with the performance of  
20 other school districts in the same athletic conference under sub. (1) (a) and (b).”

21           **\*b0858/1.1\* 1206.** Page 916, line 1: after that line insert:

22           **\*b0858/1.1\* “SECTION 2657m.** 115.435 (1) (c) of the statutes is amended to  
23 read:



1           115.51 (2) “Hearing impaired” has the meaning given in the rules promulgated  
2           by the state superintendent to define “hearing impairments” under s. 115.76 (5) (a)  
3           2.

4           **\*b2193/1.21\* SECTION 2660t.** 115.52 of the statutes is repealed and recreated  
5           to read:

6           **115.52 Wisconsin Educational Services Program for the Deaf and Hard**  
7           **of Hearing. (1) DEFINITION.** In this section, “program” means the Wisconsin  
8           Educational Services Program for the Deaf and Hard of Hearing.

9           **(1m) PURPOSE.** The purpose of the program is to serve as a statewide  
10          educational resource relating to hearing impairments to benefit all Wisconsin  
11          children who are hearing impaired.

12          **(2) GOVERNANCE.** The state superintendent shall maintain and govern the  
13          program’s facilities. The state superintendent shall appoint an individual who has  
14          training and experience in educating pupils who are hearing impaired to serve as the  
15          director of the program.

16          **(3) SERVICES.** The program shall provide services that benefit children  
17          throughout the state who are hearing impaired.

18          (a) *School.* 1. ‘Residents 3 to 20 years old.’ The program shall operate a school  
19          at which any resident of this state 3 to 20 years old who is hearing impaired, and for  
20          the duration of a school term any resident of this state who is hearing impaired and  
21          becomes 21 years old during that school term, shall be received and taught free of  
22          charge if the individualized education program for the resident under s. 115.787 and  
23          the educational placement under s. 115.79 specify the school operated by the  
24          program as the appropriate placement.

1           2. ‘Residents 21 years old or older.’ The state superintendent may admit to the  
2 school operated by the program a resident of the state who is hearing impaired and  
3 is 21 years of age or older prior to the beginning of a school term upon the payment  
4 of fees fixed by the state superintendent and upon the recommendation of the  
5 secretary of health and family services, the director of the technical college system,  
6 or the director of the program.

7           3. ‘Nonresidents.’ A nonresident of this state, who is hearing impaired, who  
8 either is 3 to 20 years old or becomes 21 years old during a school term, whose  
9 individualized education program under 20 USC 1414 (d) and educational placement  
10 specify the school operated by the program as the appropriate placement, and who  
11 is capable of receiving instruction may be received at the school upon payment in  
12 advance of the fees fixed by the state superintendent, but no nonresident may be  
13 received to the exclusion of a resident pupil.

14           4. ‘Pupil use of residential facilities.’ Except as provided in sub. (4), the director  
15 of the program shall make the residential facilities of the program available to all  
16 pupils received at the school operated by the program.

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

22           6. ‘Transportation.’ The program may provide transportation for resident  
23 pupils at the school operated by the program.

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

1           1. Provide evaluation services to assist local educational agencies, cooperative  
2 educational service agencies, county children with disabilities education boards,  
3 private schools, and others.

4           2. Provide technical assistance and consultation services to local educational  
5 agencies, cooperative educational service agencies, county children with disabilities  
6 education boards, private schools, and others.

7           3. Develop and disseminate curriculum and instructional materials.

8           4. Provide in-service and other training to teachers and other staff serving  
9 pupils who are hearing impaired.

10          5. Provide training, technical assistance, and consultation services for parents  
11 of children who are hearing impaired and for professionals who work with children  
12 who are hearing impaired.

13          6. Provide access to educational materials to children who are hearing  
14 impaired.

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

16          8. Serve as a clearinghouse for information about children who are hearing  
17 impaired.

18          9. Teach American sign language, and teach other subjects using American  
19 sign language, through the use of distance education technology.

20          10. Rent or lease technological materials and assistive technology devices, as  
21 defined in s. 115.76 (1), to local educational agencies, cooperative educational service  
22 agencies, county children with disabilities education boards, and private schools.

23          11. Facilitate the preparation of teachers of pupils who are hearing impaired  
24 by providing assistance to teacher preparation programs.

1           12. Provide other statewide services that relate to the education of children who  
2 are hearing impaired.

3           (c) *Additional services.* 1. 'Birth-to-3 services.' The program may provide  
4 instruction or services, or both, for children who are under the age of 3 and are  
5 hearing impaired and their parents. The instruction or services are subject to the  
6 approval of, and shall comply with requirements established by, the department.

7           2. 'Library.' Educational media and materials acquired by the program  
8 constitute a circulating collection for persons who are hearing impaired. The  
9 collection shall be kept at the program's facility and be under the supervision of its  
10 director. All school age children of the state who are hearing impaired may use the  
11 media and materials upon compliance with criteria established by the director of the  
12 program and approved by the state superintendent.

13           3. 'Summer programs.' The program shall provide summer programs each year  
14 for children who are hearing impaired.

15           4. 'Independent living skills.' With the approval of the state superintendent,  
16 the program may allow individuals to receive instruction in and practice  
17 independent living skills in state-owned housing at the program's facility in  
18 Delavan.

19           (d) *Provision of services.* In addition to providing services at the program's  
20 facility in Delavan, the program may provide services at any location in the state and  
21 may operate regional satellite facilities throughout the state to provide services.

22           (4) **NONDISCRIMINATION.** All pupils in the program may equally and freely enjoy  
23 the benefits and privileges of the program, have the use of the library and books of  
24 instruction, and receive board, lodging, and linens, without discrimination, except  
25 that the director of the program may determine that board, lodging, and linens may

1 not be provided to an individual because appropriate services are not available for  
2 that individual at the program's residential facilities.

3 (5) CHARGES. The state superintendent may charge for meals, living quarters,  
4 laundry, and other services furnished to employees of the program and their families.  
5 The state superintendent may charge for services furnished to visitors to the  
6 program's facilities and participants in training programs and institutes.

7 (6) LEASING OF SPACE. The state superintendent may lease space at the  
8 program's facilities in Delavan that is not required by the program to any person if  
9 the state superintendent determines that the use will not be inconsistent with the  
10 operation of the program.

11 (7) AUDIT. In the 2004–05 fiscal year, the legislative audit bureau shall perform  
12 a performance evaluation audit of the program. The bureau shall submit copies of  
13 the audit report to the chief clerk of each house of the legislature for distribution to  
14 the appropriate standing committees under s. 13.172 (3) by June 30, 2005.

15 \*b2193/1.21\* SECTION 2661m. 115.53 (2) of the statutes is amended to read:

16 115.53 (2) Arrange for vocational, trade or academic training for any pupil in  
17 either the school operated by the Wisconsin Center for the Blind and Visually  
18 Impaired or the Wisconsin School Educational Services Program for the Deaf and  
19 Hard of Hearing qualified to take such training advantageously, in either a public  
20 school or technical college or a private business establishment in Janesville or  
21 Delavan. The public school and the technical college shall be paid the regular tuition  
22 for full-time attendance and proportionally for part-time attendance by the school  
23 district responsible for the provision of a free appropriate public education under  
24 subch. V.

25 \*b2193/1.21\* SECTION 2661p. 115.53 (3) (a) of the statutes is amended to read:

1           115.53 (3) (a) Arrange for otological or ophthalmic examination of any pupil or  
2 prospective pupil of the Wisconsin School Educational Services Program for the Deaf  
3 and Hard of Hearing. The examination shall be paid for from the appropriation in  
4 s. 20.255 (1) (b), (gh) or (gs).

5           **\*b2193/1.21\* SECTION 2661r.** 115.53 (4) of the statutes is amended to read:

6           115.53 (4) Apply to the board of directors of the University of Wisconsin  
7 Hospitals and Clinics Authority for admission to the University of Wisconsin  
8 Hospitals and Clinics of any pupil at the school operated by the Wisconsin School  
9 Educational Services Program for the Deaf and Hard of Hearing or the school  
10 operated by the Wisconsin Center for the Blind and Visually Impaired.

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

16           (b) The net cost of hospital treatment shall be at the rate established under s.  
17 233.40 (1) and shall be paid from the appropriation under s. 20.255 (1) (b), (gh) or (gs)  
18 if the patient is a pupil at the school operated by the Wisconsin School Educational  
19 Services Program for the Deaf and Hard of Hearing or from the appropriation under  
20 s. 20.255 (1) (b), (gh), (gL) or (gs) if the patient is a pupil at the school operated by the  
21 Wisconsin Center for the Blind and Visually Impaired. The state superintendent  
22 likewise may authorize payment for the expense of transporting patients to and from  
23 the hospital. The state superintendent shall make payments for the treatment to the  
24 University of Wisconsin Hospitals and Clinics Authority. Funds collected by the

1 state superintendent on account of the hospitalization shall be credited to the  
2 appropriation under s. 20.255 (1) (gh) for the school or center concerned.

3 \*b2193/1.21\* SECTION 2661t. 115.53 (5) of the statutes is amended to read:

4 115.53 (5) Arrange for visits by members of the staff of either the Wisconsin  
5 School Educational Services Program for the Deaf and Hard of Hearing or the  
6 Wisconsin Center for the Blind and Visually Impaired to other public schools or to  
7 families of deaf children who are hearing impaired or children who are visually  
8 impaired, whenever it appears to the state superintendent that such visits will be  
9 of advantage to such children.

10 \*b2193/1.21\* SECTION 2662g. 115.54 of the statutes is amended to read:

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

23 \*b2223/1.1\* **1209.** Page 916, line 17: delete the material beginning with that

24 line and ending with page 917, line 22.

Insert ~~187718~~ 520-14

(CS)

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SECTION 25501, CR: 103.49 (3)(ag)  
= 103.49 (3) (ag) In defining the trades  
under par. (a)  
or occupations that are commonly employed on  
projects that are subject to this section, the  
department:

1. May not define swimming pool installer as  
a separate trade or occupation for purposes of  
determining the prevailing wage rates for the  
trades or occupations that are commonly employed  
in the construction of swimming pools.
2. Shall define metal building assembler as a  
separate trade or occupation for purposes of  
determining the prevailing wage rates for that  
trade or occupation and shall include among the  
typical duties of that trade or occupation reroofing  
and repairing existing prefabricated, packaged

packaged

Insert 457-8

metal buildings and constructing prefabricated  
metal additions to existing prefabricated,  
packaged metal buildings.

Contract