

**SENATE AMENDMENT 1,  
TO SENATE SUBSTITUTE AMENDMENT 1,  
TO 2007 SENATE BILL 40**

June 26, 2007 – Offered by Senator ROBSON.

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

**\*b0488/P1.1\* 1.** Page 2, line 7: after that line insert:

**\*b0488/P1.1\* “SECTION 3.** 7.33 (4) of the statutes is amended to read:

7.33 (4) Except as otherwise provided in this subsection, each local governmental unit, as defined in s. 16.97 (7), may, and each state agency shall, upon proper application under sub. (3), permit each of its employees to serve as an election official under s. 7.30 without loss of fringe benefits or seniority privileges earned for scheduled working hours during the period specified in sub. (3), without loss of pay for scheduled working hours during the period specified in sub. (3) except as provided in sub. (5), and without any other penalty. For employees who are included in a collective bargaining unit for which a representative is recognized or certified under

subch. V or VI of ch. 111, this subsection shall apply unless otherwise provided in a collective bargaining agreement.”.

**\*b0476/1.1\* 2.** Page 4, line 2: after that line insert:

**\*b0476/1.1\* “SECTION 4d.** 13.101 (6) (a) of the statutes, as affected by 2007 Wisconsin Act .... (this act), is amended to read:

13.101 **(6)** (a) As an emergency measure necessitated by decreased state revenues and to prevent the necessity for a state tax on general property, the committee may reduce any appropriation made to any board, commission, department, or the University of Wisconsin System, or to any other state agency or activity, by such amount as it deems feasible, not exceeding 25% of the appropriations, except appropriations made by ss. 20.255 (2) (ac), (bc), (bh), (cg), and ~~(vf)~~ (cr), 20.395 (1), (2) (cq), (eq) to (ex) and (gq) to (gx), (3), (4) (aq) to (ax), and (6) (af), (aq), (ar), and (au), 20.435 (6) (a) and (7) (da), and 20.445 (3) (a) and (dz) or for forestry purposes under s. 20.370 (1), or any other moneys distributed to any county, city, village, town, or school district. Appropriations of receipts and of a sum sufficient shall for the purposes of this section be regarded as equivalent to the amounts expended under such appropriations in the prior fiscal year which ended June 30. All functions of said state agencies shall be continued in an efficient manner, but because of the uncertainties of the existing situation no public funds should be expended or obligations incurred unless there shall be adequate revenues to meet the expenditures therefor. For such reason the committee may make reductions of such appropriations as in its judgment will secure sound financial operations of the administration for said state agencies and at the same time interfere least with their services and activities.”.

**\*b0476/1.2\* 3.** Page 4, line 11: delete “(vr)” and substitute “(cr)”.

**\*b0488/P1.2\* 4.** Page 4, line 23: after that line insert:

**\*b0488/P1.2\* “SECTION 6.** 13.111 (2) of the statutes is amended to read:

13.111 (2) DUTIES. The joint committee on employment relations shall perform the functions assigned to it under ~~subch.~~ subchs. V and VI of ch. 111, subch. II of ch. 230 and ss. 16.53 (1) (d) 1., 20.916, 20.917, 20.923 and 40.05 (1) (b).”.

**\*b0471/5.1\* 5.** Page 5, line 6: before “or 279” insert “260”.

**\*b0471/5.2\* 6.** Page 5, line 6: after that line insert:

**\*b0471/5.2\* “SECTION 8h.** 13.48 (13) (a) of the statutes is amended to read:

13.48 (13) (a) Except as provided in par. (b) or (c), every building, structure or facility that is constructed for the benefit of or use of the state, any state agency, board, commission or department, the University of Wisconsin Hospitals and Clinics Authority, the Fox River Navigational System Authority, the Healthy Wisconsin Authority, or any local professional baseball park district created under subch. III of ch. 229 if the construction is undertaken by the department of administration on behalf of the district, shall be in compliance with all applicable state laws, rules, codes and regulations but the construction is not subject to the ordinances or regulations of the municipality in which the construction takes place except zoning, including without limitation because of enumeration ordinances or regulations relating to materials used, permits, supervision of construction or installation, payment of permit fees, or other restrictions.”.

**\*b0352/2.1\* 7.** Page 6, line 25: after that line insert:

**\*b0352/2.1\* “SECTION 9nd.** 13.48 (36) of the statutes is created to read:

13.48 (36) HMONG CULTURAL CENTER. (a) The legislature finds and determines that a significant number of Hmong people are citizens of this state, that the Hmong people have a proud heritage that needs to be recognized and preserved, and that the Hmong people have experienced difficulties assimilating in this state. The legislature finds that supporting the Hmong people in their efforts to recognize their heritage and to realize the full advantages of citizenship in this state is a statewide responsibility of statewide dimension. Because it will better ensure that the heritage of the Hmong people is preserved and will better enable the Hmong people to realize the full advantages of citizenship in this state, the legislature finds that it will have a direct and immediate effect on a matter of statewide concern for the state to facilitate the purchase or construction and operation of a Hmong cultural center.

(b) The building commission may authorize up to \$2,000,000 in general fund supported borrowing to make a grant to an organization designated by the secretary of administration that represents the cultural interests of Hmong people for purchase or construction of a Hmong cultural center in Dane County. Before approving any state funding commitment for the purchase or construction of the center and before awarding the grant, the building commission shall determine that the organization has secured additional funding commitments of at least \$2,500,000 from nonstate revenue sources for purchase or construction of the center. Before awarding the grant, the organization shall submit to the building commission and the commission shall review and approve an initial budget and business plan for the operation of the center that is acceptable to the commission. As a condition of receiving the grant, the organization must enter into an agreement with the secretary guaranteeing that the center will be operated to serve the nonsectarian cultural interests of the Hmong people.

(c) If, for any reason, the facility that is purchased or constructed with funds from the grant under par. (b) is not used as a Hmong cultural center in Dane County, or the center is not operated to serve the nonsectarian cultural interests of the Hmong people, the state shall retain an ownership interest in the facility equal to the amount of the state's grant.”.

**\*b0353/1.1\* 8.** Page 6, line 25: after that line insert:

**\*b0353/1.1\* “SECTION 9nx.** 13.48 (38) of the statutes is created to read:

13.48 **(38)** CIVIL WAR EXHIBIT AT THE KENOSHA PUBLIC MUSEUMS. (a) The legislature finds and determines that the Civil War was an event of unequalled importance in the historical development of the United States; that Wisconsin citizens fought bravely and valiantly in assisting the Union to achieve victory in the Civil War; and that the study of the Civil War will deepen our understanding and appreciation of the history of the United States and of Wisconsin. It is therefore in the public interest, and it is the public policy of this state, to assist the Kenosha Public Museums in the construction of facilities that will be used for a Civil War exhibit.

(b) The building commission may authorize up to \$500,000 in general fund supported borrowing to aid in the construction of a Civil War exhibit as part of the Kenosha Public Museums in the city of Kenosha. The state funding commitment shall be in the form of a grant to the Kenosha Public Museums. Before approving any such state funding commitment and before awarding the construction grant, the building commission shall determine that the Kenosha Public Museums has secured additional funding at least equal to \$2,000,000 from nonstate donations for the purpose of constructing a Civil War exhibit.

(c) If the building commission authorizes a grant to the Kenosha Public Museums under par. (b) and if, for any reason, the facility that is constructed with funds from the grant is not used as a Civil War exhibit, the state shall retain an ownership interest in the facility equal to the amount of the state's grant.”.

**\*b0566/1.1\* 9.** Page 6, line 25: after that line insert:

**\*b0566/1.1\* “SECTION 9nf. 13.48 (36p)** of the statutes is created to read:

**13.48 (36p) BOND HEALTH CENTER.** (a) The legislature finds and determines that improving the health of the citizens of this state and increasing access to health care in this state is a statewide responsibility of statewide dimension. In addition, the legislature finds and determines that the Bond Health Center in the city of Oconto plays a vital role in improving the health of the citizens of this state and is a quality health care facility. The legislature, therefore, finds and determines that assisting the Bond Health Center in the city of Oconto in expanding a health care facility will have a direct and immediate effect on this state responsibility of statewide dimension.

(b) The building commission may authorize up to \$1,000,000 in general fund supported borrowing to make a grant to the Bond Health Center in the city of Oconto for construction costs related to hospital expansion. Before approving any state funding commitment for construction costs relating to the hospital expansion and before awarding the grant, the building commission shall determine that the Bond Health Center has secured all necessary additional funding commitments from nonstate revenue sources for the expansion.

(c) If, for any reason, the facility that is expanded with funds from the grant under par. (b) is not used as a hospital, the state shall retain an ownership interest in the facility equal to the amount of the state's grant.”.

**\*b0471/5.3\* 10.** Page 7, line 20: before “or 279” insert “260.”.

**\*b0471/5.4\* 11.** Page 15, line 8: after that line insert:

**\*b0471/5.4\* “SECTION 17yd.** 13.94 (1) (dj) of the statutes is created to read:

13.94 (1) (dj) Annually, conduct a financial audit of the Healthy Wisconsin Plan under ch. 260 and file copies of each audit report under this paragraph with the distributees specified in par. (b).

**\*b0471/5.4\* SECTION 17yh.** 13.94 (1s) (c) 5. of the statutes is created to read:

13.94 (1s) (c) 5. The Healthy Wisconsin Authority for the cost of the audit under sub. (1) (dj).”.

**\*b0471/5.5\* 12.** Page 16, line 19: after “Authority.” insert “the Healthy Wisconsin Authority.”.

**\*b0341/2.1\* 13.** Page 17, line 13: after that line insert:

**\*b0341/2.1\* “SECTION 24.** 15.01 (2) of the statutes is amended to read:

15.01 (2) “Commission” means a 3–member governing body in charge of a department or independent agency or of a division or other subunit within a department, except for the Wisconsin waterways commission which shall consist of 5 members and the parole earned release review commission which shall consist of 8 members. A Wisconsin group created for participation in a continuing interstate body, or the interstate body itself, shall be known as a “commission”, but is not a commission for purposes of s. 15.06. The parole earned release review commission created under s. 15.145 (1) shall be known as a “commission”, but is not a commission

for purposes of s. 15.06. ~~The sentencing commission created under s. 15.105 (27) shall be known as a “commission” but is not a commission for purposes of s. 15.06 (1) to (4m), (7), and (9).”.~~

**\*b0341/2.2\* 14.** Page 18, line 12: after that line insert:

**\*b0341/2.2\* “SECTION 28.** 15.06 (6) of the statutes is amended to read:

15.06 (6) QUORUM. A majority of the membership of a commission constitutes a quorum to do business, except that vacancies shall not prevent a commission from doing business. This subsection does not apply to the parole earned release review commission.”.

**\*b0373/P3.1\* 15.** Page 18, line 12: after that line insert:

**\*b0373/P3.1\* “SECTION 27.** 15.04 (4) of the statutes is created to read:

15.04 (4) LEGAL SERVICES. If a department or independent agency is authorized or required to employ or retain an attorney, the department or independent agency may do so only in the following ways:

(a) Employ an attorney in a position authorized under s. 16.505.

(b) Contract with the department of administration for legal services under s. 16.004 (15).

(c) Allow the department of justice to furnish legal services if the department of justice is required by law to furnish the services.

(d) 1. Allow the division of hearings and appeals created under s. 15.103 (1) to furnish legal services if the division of hearings and appeals is required or authorized by law to furnish the services.



2. Contract under s. 227.43 (1m) for contested case hearing services with the division of hearings and appeals if the department or independent agency is not prohibited by law to do so.

(e) Employ or retain any attorney who is not a state employee, subject to s. 20.930.”.

**\*b0373/P3.2\* 16.** Page 19, line 12: after that line insert:

**\*b0373/P3.2\*** “**SECTION 31.** 15.103 (1g) of the statutes is created to read:

15.103 (1g) DIVISION OF LEGAL SERVICES. There is created in the department of administration a division of legal services. The administrator of the division shall be appointed by the secretary of administration in the classified service.”.

**\*b0341/2.3\* 17.** Page 20, line 2: after that line insert:

**\*b0341/2.3\*** “**SECTION 37.** 15.145 (1) of the statutes is amended to read:

15.145 (1) ~~PAROLE~~ EARNED RELEASE REVIEW COMMISSION. There is created in the department of corrections -a parole an earned release review commission consisting of 8 members. Members shall have knowledge of or experience in corrections or criminal justice. The members shall include a chairperson who is nominated by the governor, and with the advice and consent of the senate appointed, for a 2-year term expiring March 1 of the odd-numbered years, subject to removal under s. 17.07 (3m), and the remaining members in the classified service appointed by the chairperson.”.

**\*b0382/3.1\* 18.** Page 21, line 21: delete lines 21 to 25 and substitute:

**\*b0382/3.1\*** “**SECTION 52b.** 15.197 (11n) of the statutes is renumbered 15.105 (8), and 15.105 (8) (title), (ag), (am) (intro.), (bm), and (cm) 1., as renumbered, are amended to read:

15.105 (8) (title) ~~COUNCIL ON~~ BOARD FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES. (ag) There is created a ~~council on~~ board for people with developmental disabilities, attached to the department of ~~health and family services~~ administration under s. 15.03.

(am) (intro.) Subject to par. (cm), the ~~council~~ board shall consist of the following state residents, appointed for staggered 4-year terms, who shall be representative of all geographic areas of the state and reflect the state's diversity with respect to race and ethnicity:

(bm) A member specified in par. (am) 1. or 3. shall recuse himself or herself from any discussion by the ~~council~~ board of grants or contracts for which the member's department, agency, program, or group is a grantee, contractor, or applicant and may not vote on a matter that would provide direct financial benefit to the member or otherwise give the appearance of a conflict of interest.

(cm) 1. At least 60% of the membership of the ~~council~~ board shall be individuals specified under par. (am) 2. who are not managing employees, as defined under 42 USC 1320a-5 (b), of an entity, or employees of a state agency, that receives federal funds for the developmentally disabled or uses the funds to provide services to persons with developmental disabilities. Of those individuals, one-third shall be individuals specified under par. (am) 2. a., one-third shall be individuals specified under par. (am) 2. b. or c., and one-third shall be individuals specified under par. (am) 2. a., b., or c.”.

**\*b0471/5.6\* 19.** Page 25, line 6: before “and 279” insert “260.”.

**\*b0471/5.7\* 20.** Page 25, line 11: before “and 279” insert “260.”.

**\*b0471/5.8\* 21.** Page 25, line 17: before “and 279” insert “260.”.

**\*b0471/5.9\* 22.** Page 25, line 19: after that line insert:

**\*b0471/5.9\*** “SECTION 71d. 16.004 (7d) of the statutes is created to read:

16.004 (7d) CONTAINMENT OF HEALTH CARE COSTS. In consultation with the board of the Healthy Wisconsin Authority, the secretary shall establish, by rule, a program to contain health care costs in this state during any year in which the board determines that health care costs increase at a rate exceeding the national average of medical inflation, as defined in s. 260.01 (4).

**\*b0471/5.9\* SECTION 71L.** 16.004 (7h) of the statutes is created to read:

16.004 (7h) EMPLOYER ASSESSMENTS TO THE HEALTHY WISCONSIN TRUST FUND. The secretary shall establish a methodology for allocating employer assessments among state agencies to pay the Healthy Wisconsin trust fund for the operation and funding of the Healthy Wisconsin Plan under ch. 260. State agencies shall pay, from appropriations used to fund fringe benefit costs of state employees, to the Healthy Wisconsin trust fund amounts determined by the secretary.”.

**\*b0471/5.10\* 23.** Page 26, line 2: after “Remediation Authority.” insert “the Healthy Wisconsin Authority.”.

**\*b0373/P3.3\* 24.** Page 26, line 3: after that line insert:

**\*b0373/P3.3\*** “SECTION 72. 16.004 (15) of the statutes is created to read:

16.004 (15) LEGAL SERVICES. (a) In this subsection, “state agency” means an office, commission, department, independent agency, or board in the executive branch of state government, and includes the building commission.

(b) The department may provide legal services to state agencies. Annually, the department shall assess each state agency for the cost of the legal services provided

to the state agency. The department shall credit all moneys received from state agencies under this paragraph to the appropriation account under s. 20.505 (1) (kr).”.

**\*b0471/5.11\* 25.** Page 26, line 22: before “or 279” insert “260.”.

**\*b0471/5.12\* 26.** Page 29, line 18: before “or 279” insert “260.”.

**\*b0471/5.13\* 27.** Page 29, line 18: after that line insert:

**\*b0471/5.13\* “SECTION 80h.** 16.417 (1) (a) of the statutes is amended to read:  
16.417 (1) (a) “Agency” means an office, department, independent agency, institution of higher education, association, society, or other body in state government created or authorized to be created by the constitution or any law, that is entitled to expend moneys appropriated by law, including the legislature and the courts, but not including an authority or the body created under subch. III of ch. 149 or under ch. 260.”.

**\*b0488/P1.3\* 28.** Page 29, line 24: after that line insert:

**\*b0488/P1.3\* “SECTION 85.** 16.50 (3) (e) of the statutes is amended to read:  
16.50 (3) (e) No pay increase may be approved unless it is at the rate or within the pay ranges prescribed in the compensation plan or as provided in a collective bargaining agreement under subch. V or VI of ch. 111.”.

**\*b0471/5.14\* 29.** Page 30, line 11: before “or 279” insert “260.”.

**\*b0471/5.15\* 30.** Page 34, line 9: before “or 279” insert “260.”.

**\*b0471/5.16\* 31.** Page 34, line 19: before “or 279” insert “260.”.

**\*b0471/5.17\* 32.** Page 35, line 18: before “or 279” insert “260.”.

**\*b0471/5.18\* 33.** Page 38, line 5: before “or 279” insert “260.”.

**\*b0488/P1.4\* 34.** Page 38, line 5: after that line insert:

**\*b0488/P1.4\*** **SECTION 101.** 16.705 (3) (c) of the statutes is amended to read:  
16.705 (3) (c) Do not enter into any contract for contractual services in conflict with any collective bargaining agreement under subch. V or VI of ch. 111.”.

**\*b0471/5.19\*** **35.** Page 42, line 1: after “Authority.” insert “the Healthy Wisconsin Authority.”.

**\*b0471/5.20\*** **36.** Page 42, line 13: after “Authority.” insert “the Healthy Wisconsin Authority.”.

**\*b0471/5.21\*** **37.** Page 43, line 7: after “Authority.” insert “the Healthy Wisconsin Authority.”.

**\*b0471/5.22\*** **38.** Page 43, line 15: after “Authority.” insert “the Healthy Wisconsin Authority.”.

**\*b0471/5.23\*** **39.** Page 43, line 22: after “Remediation Authority.” insert “the Healthy Wisconsin Authority.”.

**\*b0471/5.24\*** **40.** Page 44, line 10: after “Authority.” insert “the Healthy Wisconsin Authority.”.

**\*b0471/5.25\*** **41.** Page 44, line 18: after “Authority.” insert “the Healthy Wisconsin Authority.”.

**\*b0471/5.26\*** **42.** Page 44, line 22: after “Authority.” insert “the Healthy Wisconsin Authority.”.

**\*b0471/5.27\*** **43.** Page 45, line 6: after “Authority.” insert “the Healthy Wisconsin Authority.”.

**\*b0471/5.28\*** **44.** Page 45, line 11: after “Remediation Authority.” insert “the Healthy Wisconsin Authority.”.

**\*b0471/5.29\* 45.** Page 45, line 16: after “Authority.” insert “the Healthy Wisconsin Authority.”.

**\*b0471/5.30\* 46.** Page 45, line 20: after “Remediation Authority.” insert “the Healthy Wisconsin Authority.”.

**\*b0471/5.31\* 47.** Page 48, line 7: before “or 279” insert “260.”.

**\*b0471/5.32\* 48.** Page 48, line 23: before “or 279” insert “260.”.

**\*b0361/3.1\* 49.** Page 51, line 20: after that line insert:

**\*b0361/3.1\* “SECTION 128c.** 16.971 (2) (cf) of the statutes is created to read:  
16.971 (2) (cf) Implement, operate, maintain, and upgrade an integrated business information system capable of providing information technology services to all agencies in the areas of accounting, auditing, payroll and other financial services; procurement; human resources; and other administrative processes. The department may provide information technology services under this subsection to any executive branch agency under s. 16.70 (4). The department may also provide information technology services to any local governmental unit under this subsection.”.

**\*b0455/2.1\* 50.** Page 51, line 20: after that line insert:

**\*b0455/2.1\* “SECTION 125g.** 16.964 (14) of the statutes is created to read:  
16.964 (14) Beginning in fiscal year 2008–09, from the appropriation under s. 20.505 (6) (f), the office shall in each fiscal year provide \$20,000 to each of the following child advocacy centers for education, training, medical advice, and quality assurance activities:

(a) Care House in Rock County.

(b) Child Protection Center in Milwaukee County.

- (c) Safe Harbor in Dane County.
- (d) Kenosha Child Advocacy Center in Kenosha County.
- (e) Fox Valley Child Advocacy Center in Winnebago County.
- (f) Stepping Stones in La Crosse County.
- (g) CARE Center in Waukesha County.
- (h) Child Advocacy Center of Northeastern Wisconsin in Marathon County.
- (i) Chippewa County Child Advocacy Center in Chippewa County.
- (j) A child advocacy center in Brown County.
- (k) A child advocacy center in Racine County.
- (L) A child advocacy center in Walworth County.”.

**\*b0362/1.1\* 51.** Page 56, line 22: after that line insert:

**\*b0362/1.1\* “SECTION 128b.** 16.973 (15) of the statutes is created to read:

16.973 (15) Post on its Internet site and periodically revise as necessary all of the following pertaining to information technology services and projects provided, managed, or supervised by the department:

- (a) The total anticipated cost of each information technology service or project.
- (b) The total amount that will be assessed by the department for the information technology service or project.
- (c) Whether a flat rate or fee-for-service billing method will be utilized by the department for the information technology service or project and the amount that will be assessed to any agency, any authority, any unit of the federal government, any local governmental unit, or any entity in the private sector that receives information technology services or enters into an information technology project with the department using that billing method.

**\*b0362/1.1\* SECTION 128v.** 16.974 (2) of the statutes is amended to read:

16.974 (2) Subject to s. 16.972 (2) (b), enter into and enforce an agreement with any agency, any authority, any unit of the federal government, any local governmental unit, or any entity in the private sector to provide services authorized to be provided by the department to that agency, authority, unit, or entity at a cost specified in the agreement. Assessments and charges for information technology projects may not exceed 110 percent of the amount appropriated for the project or the estimated costs of the project, whichever is less.”

**\*b0341/2.4\* 52.** Page 56, line 23: after that line insert:

**\*b0341/2.4\* “SECTION 130.** 17.07 (3m) of the statutes is amended to read:

17.07 (3m) Notwithstanding sub. (3), the parole earned release review commission chairperson may be removed by the governor, at pleasure.”

**\*b0488/P1.5\* 53.** Page 74, line 3: delete “or V” and substitute “or, V, or VI”.

**\*b0488/P1.6\* 54.** Page 74, line 10: after that line insert:

**\*b0488/P1.6\* “SECTION 164.** 19.85 (3) of the statutes is amended to read:

19.85 (3) Nothing in this subchapter shall be construed to authorize a governmental body to consider at a meeting in closed session the final ratification or approval of a collective bargaining agreement under subch. I, IV or, V, or VI of ch. 111 which has been negotiated by such body or on its behalf.”

**\*b0488/P1.7\* 55.** Page 74, line 14: delete “or V” and substitute “or, V, or VI”.

**\*b0413/2.1\* 56.** Page 93, line 13: increase the dollar amount for fiscal year 2007–08 by \$152,700 and increase the dollar amount for fiscal year 2008–09 by \$229,100 for the purpose of increasing the authorized FTE positions for the department of agriculture, trade and consumer protection by 1.0 GPR position and



for related costs for agricultural product promotion and administering a buy local grant program.

**\*b0413/2.2\* 57.** Page 94, line 8: after that line insert:

“(am) Buy local grants	GPR	B	225,000	-0-”.
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**\*b0478/2.1\* 58.** Page 94, line 9: increase the dollar amount for fiscal year 2007–08 by \$50,000 and increase the dollar amount for fiscal year 2008–09 by \$50,000 for the purpose for which the appropriation is made.

**\*b0539/1.1\* 59.** Page 94, line 16: after that line insert:

“(s) Grazing lands conservation	SEG	A	400,000	400,000”.
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**\*b0328/2.1\* 60.** Page 95, line 19: decrease the dollar amount for fiscal year 2007–08 by \$4,000,000 to decrease funding for the purpose for which the appropriation is made.

**\*b0413/2.3\* 61.** Page 97, line 13: decrease the dollar amount for fiscal year 2007–08 by \$225,000 to decrease funding for the purposes for which the appropriation is made.

**\*b0331/3.1\* 62.** Page 101, line 7: after that line insert:

“(tm) Wisconsin development fund grants and loans; recycling and renewable energy fund.	SEG	B	15,000,000	15,000,000
“(um) Wisconsin development fund, administration; recycling and renewable energy fund.	SEG	A	50,900	57,800”.

**\*b0336/4.1\* 63.** Page 102, line 4: increase the dollar amount for fiscal year 2007–08 by \$25,000 for the purpose of funding the grant under 2007 Wisconsin Act .... (this act), section 9108 (5i).

**\*b0334/2.1\* 64.** Page 121, line 10: after that line insert:

“(af) Belmont school library aid                    GPR     A             18,000             –0–”.

**\*b0541/1.1\* 65.** Page 121, line 10: after that line insert:

“(ae) Sparsity aid    GPR     A             3,644,600     3,644,600”.

**\*b0403/1.1\* 66.** Page 121, line 12: after that line insert:

“(bb) Aid for high poverty school dis-  
tricts    GPR     A             9,000,000     12,000,000  
”.

**\*b0534/1.1\* 67.** Page 121, line 14: after that line insert:

“(be) Supplemental special education  
aid    GPR     A             1,750,000     1,750,000”.

**\*b0476/1.3\* 68.** Page 122, line 10: after that line insert:

“(cr) Aid for pupil transportation                    GPR     A             –0–     27,292,500  
”.

**\*b0359/P1.1\* 69.** Page 122, line 12: increase the dollar amount for fiscal year 2007–08 by \$3,029,200 and increase the dollar amount for fiscal year 2008–09 by \$3,029,200 to increase funding for the purpose for which the appropriation is made.

**\*b0476/1.4\* 70.** Page 122, line 12: after that line insert:

“(cw) Aid for transportation; youth options program	GPR	A	–0–	20,000
“(cy) Aid for transportation; open enrollment	GPR	A	–0–	500,000”.

**\*b0506/2.1\* 71.** Page 122, line 14: after that line insert:

“(dL) Grants for nursing services	GPR	A	250,000	250,000”.
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**\*b0538/2.1\* 72.** Page 123, line 16: after that line insert:

“(u) La Causa Charter School	SEG	A	250,000	–0–”.
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**\*b0476/1.5\* 73.** Page 123, line 17: decrease the dollar amount for fiscal year 2008–09 by \$27,292,500 for the purpose of reflecting the change in funding source.

**\*b0476/1.6\* 74.** Page 123, line 19: decrease the dollar amount for fiscal year 2008–09 by \$20,000 for the purpose of reflecting the change in funding source.

**\*b0476/1.7\* 75.** Page 123, line 21: decrease the dollar amount for fiscal year 2008–09 by \$500,000 for the purpose of reflecting the change in funding source.

**\*b0385/1.1\* 76.** Page 125, line 3: increase the dollar amount for fiscal year 2008–09 by \$664,800 to increase funding for the purposes for which the appropriation is made.

**\*b0499/2.1\* 77.** Page 125, line 3: increase the dollar amount for fiscal year 2008–09 by \$5,000,000 for the purposes for which the appropriation is made.

**\*b0385/1.2\* 78.** Page 127, line 6: decrease the dollar amount for fiscal year 2008–09 by \$4,126,800 to decrease funding for the purposes for which the appropriation is made.

**\*b0350/1.1\* 79.** Page 132, line 10: after that line insert:

“(fc) Driver education, local assistance	GPR	A	–0–	307,500
(fg) Chauffeur training grants	GPR	C	–0–	191,000”.

**\*b0350/1.2\* 80.** Page 132, line 11: after that line insert:

“(fp) Emergency medical technician – basic training; state operations	GPR	A	–0–	–0–”.
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**\*b0350/1.3\* 81.** Page 133, line 18: decrease the dollar amount for fiscal year 2008–09 by \$307,500 for the purpose of reflecting the change in funding source.

**\*b0350/1.4\* 82.** Page 133, line 19: decrease the dollar amount for fiscal year 2008–09 by \$191,000 for the purpose of reflecting the change in funding source.

**\*b0482/2.1\* 83.** Page 140, line 8: increase the dollar amount for fiscal year 2007–08 by \$400,000 for the purpose of developing all–terrain vehicle trails in the Northern Highland–American Legion State Forest.

**\*b0350/1.5\* 84.** Page 141, line 17: after that line insert:

“(cf) Air management – motor vehicle emission inspection and maintenance program, state funds	GPR	C	–0–	64,500”.
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**\*b0350/1.6\* 85.** Page 142, line 11: decrease the dollar amount for fiscal year 2008–09 by \$64,500 for the purpose of reflecting the change in funding source.

**\*b0350/1.7\* 86.** Page 144, line 9: after that line insert:

“(ad) Law enforcement – car kill deer; general fund	GPR	A	–0–	514,600”.
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**\*b0350/1.8\* 87.** Page 145, line 5: decrease the dollar amount for fiscal year 2008–09 by \$514,600 for the purpose of reflecting the change in funding source.

**\*b0387/3.1\* 88.** Page 150, line 16: increase the dollar amount for fiscal year 2007–08 by \$2,000 and increase the dollar amount for fiscal year 2008–09 by \$27,000 for the purpose for which the appropriation is made.

**\*b0332/3.1\* 89.** Page 152, line 25: increase the dollar amount for fiscal year 2007–08 by \$10,000 for the purpose of providing grants to counties and municipalities participating in the lightweight utility vehicle pilot program.

**\*b0503/4.1\* 90.** Page 152, line 25: after that line insert:

“(cv) Recreation aids — all-terrain  
vehicle landowner incentive pro-  
gram                                  SEG      C                  -0-                  -0-”.

**\*b0545/2.1\* 91.** Page 154, line 12: after that line insert:

“(at) Environmental aids — invasive  
aquatic species; contributions          SEG      C                  -0-                  -0-”.

**\*b0438/1.1\* 92.** Page 155, line 9: increase the dollar amount for fiscal year 2007–08 by \$21,000,000 and increase the dollar amount for fiscal year 2008–09 by \$21,000,000 to increase funding for the purpose for which the appropriation is made.

**\*b0435/1.1\* 93.** Page 156, line 14: after that line insert:

“(ev) Reimbursement for disposal of  
contaminated sediment                  SEG      A                  3,000,000      3,000,000”.

**\*b0350/1.9\* 94.** Page 159, line 18: after that line insert:

“(mc) Resource maintenance and  
development – state park, forest  
and riverway roads                      GPR      C                      –0–      321,400”.

**\*b0350/1.10\* 95.** Page 159, line 25: decrease the dollar amount for fiscal year 2008–09 by \$321,400 for the purpose of reflecting the change in funding source.

**\*b0415/1.1\* 96.** Page 167, line 6: increase the dollar amount for fiscal year 2007–08 by \$468,500 and increase the dollar amount for fiscal year 2008–09 by \$1,428,700 for the purpose of increasing transportation aids to counties.

**\*b0415/1.2\* 97.** Page 167, line 8: increase the dollar amount for fiscal year 2007–08 by \$1,473,700 and increase the dollar amount for fiscal year 2008–09 by \$4,494,800 for the purpose of increasing transportation aids to municipalities.

**\*b0512/1.1\* 98.** Page 168, line 2: increase the dollar amount for fiscal year 2007–08 by \$66,500 and increase the dollar amount for fiscal year 2008–09 by \$136,000 to increase funding for the purpose for which the appropriation is made.

**\*b0416/1.1\* 99.** Page 168, line 12: increase the dollar amount for fiscal year 2007–08 by \$29,500 and increase the dollar amount for fiscal year 2008–09 by \$375,500 to increase funding for the purpose for which the appropriation is made.

**\*b0321/1.1\* 100.** Page 168, line 19: increase the dollar amount for fiscal year 2007–08 by \$236,200 and increase the dollar amount for fiscal year 2008–09 by \$974,500 for the purpose of increasing mass transit aids.

**\*b0321/1.2\* 101.** Page 168, line 21: increase the dollar amount for fiscal year 2007–08 by \$53,500 and increase the dollar amount for fiscal year 2008–09 by \$220,600 for the purpose of increasing mass transit aids.

**\*b0321/1.3\* 102.** Page 168, line 23: increase the dollar amount for fiscal year 2007–08 by \$873,900 and increase the dollar amount for fiscal year 2008–09 by \$3,572,800 for the purpose of increasing mass transit aids.

**\*b0321/1.4\* 103.** Page 169, line 2: increase the dollar amount for fiscal year 2007–08 by \$164,700 and increase the dollar amount for fiscal year 2008–09 by \$679,400 for the purpose of increasing mass transit aids.

**\*b0417/1.1\* 104.** Page 170, line 7: decrease the dollar amount for fiscal year 2007–08 by \$122,700 and decrease the dollar amount for fiscal year 2008–09 by \$126,000 to decrease funding for the purpose for which the appropriation is made.

**\*b0515/1.1\* 105.** Page 170, line 19: increase the dollar amount for fiscal year 2007–08 by \$63,100 and increase the dollar amount for fiscal year 2008–09 by \$129,000 to increase funding for the purposes for which the appropriation is made.

**\*b0418/1.1\* 106.** Page 171, line 12: increase the dollar amount for fiscal year 2007–08 by \$82,900 and increase the dollar amount for fiscal year 2008–09 by \$169,600 to increase funding for the purpose for which the appropriation is made.

**\*b0419/2.1\* 107.** Page 171, line 14: increase the dollar amount for fiscal year 2007–08 by \$35,000 and increase the dollar amount for fiscal year 2008–09 by \$71,600 to increase funding for the purpose for which the appropriation is made.

**\*b0351/1.1\* 108.** Page 174, line 11: increase the dollar amount for fiscal year 2007–08 by \$30,042,900 and increase the dollar amount for fiscal year 2008–09 by \$46,214,900 for the purpose of increasing funding for the major highway development program.

**\*b0421/2.1\* 109.** Page 175, line 2: increase the dollar amount for fiscal year 2007–08 by \$39,582,400 and increase the dollar amount for fiscal year 2008–09 by \$60,850,900 to increase funding for the state highway rehabilitation program.

**\*b0420/3.1\* 110.** Page 175, line 4: increase the dollar amount for fiscal year 2008–09 by \$23,300,000 for the purpose of funding reconstruction of the I 94 north–south corridor.

**\*b0522/1.1\* 111.** Page 178, line 10: increase the dollar amount for fiscal year 2007–08 by \$249,700 and increase the dollar amount for fiscal year 2008–09 by \$249,700 for the purpose of issuing 2 vehicle registration plates for most vehicles.

**\*b0511/2.1\* 112.** Page 180, line 13: decrease the dollar amount for fiscal year 2008–09 by \$43,300,000 for the purpose of reflecting the change in funding source.

**\*b0341/2.5\* 113.** Page 182, line 7: decrease the dollar amount for fiscal year 2008–09 by \$464,900 to decrease funding for contracts with the department of corrections.

**\*b0341/2.6\* 114.** Page 184, line 10: delete “PAROLE” and substitute “EARNED RELEASE REVIEW”.

**\*b0382/3.2\* 115.** Page 187, line 13: before that line insert:

**“20.434 Board for people with developmental disabilities**

(1) DEVELOPMENTAL DISABILITIES

(a)	General program operations	GPR	A	15,000	15,000
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(mc) Federal project operations	PR–F	C	–0–	–0–
(md) Federal project aids	PR–F	C	–0–	–0–”.

**\*b0377/1.1\* 116.** Page 189, line 16: increase the dollar amount for fiscal year 2007–08 by \$544,400 to increase funding for the licensed bed assessment for the state centers for the developmentally disabled.

**\*b0454/1.1\* 117.** Page 190, line 10: increase the dollar amount for fiscal year 2007–08 by \$250,000 to increase funding for the purpose of a grant for children’s community programs for comprehensive early childhood initiatives in Dane County that provide home visiting and employment preparation and support for low–income families.

**\*b0376/2.1\* 118.** Page 193, line 11: increase the dollar amount for fiscal year 2007–08 by \$330,000 and increase the dollar amount for fiscal year 2008–09 by \$330,000 for the purpose of adjusting medical assistance payments for facilities in Dane, Iowa, Columbia, and Sauk counties.

**\*b0446/1.1\* 119.** Page 193, line 11: decrease the dollar amount for fiscal year 2007–08 by \$142,400 and decrease the dollar amount for fiscal year 2008–09 by \$449,100 to decrease funding for nursing home services to medical assistance recipients.

**\*b0446/1.2\* 120.** Page 196, line 5: increase the dollar amount for fiscal year 2007–08 by \$4,198,000 and increase the dollar amount for fiscal year 2008–09 by \$8,608,600 to increase funding for nursing home services to medical assistance recipients.



**\*b0375/1.1\* 128.** Page 198, line 15: increase the dollar amount for fiscal year 2007–08 by \$25,000 and increase the dollar amount for fiscal year 2008–09 by \$25,000 to increase funding for a grant to HealthNet of Janesville, Inc.

**\*b0444/1.4\* 129.** Page 199, line 5: increase the dollar amount for fiscal year 2007–08 by \$162,500 and increase the dollar amount for fiscal year 2008–09 by \$137,500 for the purpose for which the appropriation is made.

**\*b0514/2.1\* 130.** Page 199, line 6: increase the dollar amount for fiscal year 2007–08 by \$10,000,000 and increase the dollar amount for fiscal year 2008–09 by \$10,000,000 for the purpose for which the appropriation is made.

**\*b0350/1.12\* 131.** Page 199, line 7: decrease the dollar amount for fiscal year 2008–09 by \$2,200,000 for the purpose of reflecting the change in funding source.

**\*b0382/3.3\* 132.** Page 199, line 10: decrease the dollar amount for fiscal year 2007–08 by \$15,000 to decrease funding for the council on developmental disabilities.

**\*b0531/1.1\* 133.** Page 201, line 4: increase the dollar amount for fiscal year 2007–08 by \$84,000 and increase the dollar amount for fiscal year 2008–09 by \$84,000 for outreach services grants to community organizations in southeastern and south central Wisconsin.

**\*b0477/1.1\* 134.** Page 202, line 22: increase the dollar amount for fiscal year 2007–08 by \$100,000 and increase the dollar amount for fiscal year 2008–09 by \$100,000 for the purpose of funding staff for a 24–hour per day hotline to provide assistance to compulsive gamblers and their families.



“(dd) Regional emergency response					
teams	GPR	A	–0–	1,400,000	
(dp) Emergency response equipment	GPR	A	–0–	468,000	
(dr) Emergency response supplement	GPR	C	–0–	–0–	
(dt) Emergency response training	GPR	B	–0–	64,900”.	

**\*b0350/1.16\* 143.** Page 226, line 7: after that line insert:

“(f) Civil air patrol aids	GPR	A	–0–	19,000”.
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**\*b0350/1.17\* 144.** Page 227, line 12: decrease the dollar amount for fiscal year 2008–09 by \$1,400,000 for the purpose of reflecting the change in funding source.

**\*b0350/1.18\* 145.** Page 227, line 13: decrease the dollar amount for fiscal year 2008–09 by \$468,000 for the purpose of reflecting the change in funding source.

**\*b0350/1.19\* 146.** Page 227, line 14: decrease the dollar amount for fiscal year 2008–09 by \$64,900 for the purpose of reflecting the change in funding source.

**\*b0350/1.20\* 147.** Page 227, line 16: decrease the dollar amount for fiscal year 2008–09 by \$19,000 for the purpose of reflecting the change in funding source.

**\*b0470/P1.1\* 148.** Page 228, line 9: increase the dollar amount for fiscal year 2007–08 by \$49,300 and increase the dollar amount for fiscal year 2008–09 by \$49,800 for the purpose of increasing the authorized FTE district attorney positions in Trempealeau County by 0.4 GPR district attorneys.

**\*b0497/2.1\* 149.** Page 228, line 9: increase the dollar amount for fiscal year 2008–09 by \$32,400 for the purpose of increasing the authorized FTE positions for

the department of administration by 1.0 GPR assistant district attorney position for Polk County beginning January 1, 2009.

**\*b0497/2.2\* 150.** Page 228, line 9: increase the dollar amount for fiscal year 2007–08 by \$16,200 and increase the dollar amount for fiscal year 2008–09 by \$32,400 for the purpose of increasing the authorized FTE positions for the department of administration by 0.5 GPR assistant district attorney position for Rock County beginning January 1, 2008.

**\*b0497/2.3\* 151.** Page 228, line 9: increase the dollar amount for fiscal year 2007–08 by \$16,200 and increase the dollar amount for fiscal year 2008–09 by \$32,400 for the purpose of increasing the authorized FTE positions for the department of administration by 0.5 GPR assistant district attorney position for St. Croix County beginning January 1, 2008.

**\*b0446/1.3\* 152.** Page 229, line 15: increase the dollar amount for fiscal year 2007–08 by \$262,400 and increase the dollar amount for fiscal year 2008–09 by \$524,800 to increase funding for nursing home services to medical assistance recipients who are veterans.

**\*b0322/1.1\* 153.** Page 231, line 1: after that line insert:

“(e) Korean War memorial grant            GPR        A            165,000            –0–”.

**\*b0331/3.2\* 154.** Page 235, line 10: after “Recycling” insert “and renewable energy”.

**\*b0361/3.2\* 155.** Page 238, line 23: after that line insert:

“(iv) Integrated business information  
system; nonstate entities            PR        C            –0–            –0–”.

**\*b0361/3.3\* 156.** Page 239, line 7: after that line insert:

“(kd) Integrated business information

system PR-S C -0- -0-”.

**\*b0362/1.2\* 157.** Page 239, line 14: increase the dollar amount for fiscal year 2007–08 by \$2,458,000 to increase funding for space rental costs, maintenance, fuel and utilities, taxes, and fiber optics for the data center in Madison.

**\*b0373/P3.4\* 158.** Page 239, line 22: after that line insert:

“(kr) Legal services PR-S C -0- 15,268,200  
”.

**\*b0434/2.1\* 159.** Page 239, line 24: increase the dollar amount for fiscal year 2007–08 by \$50,000 and increase the dollar amount for fiscal year 2008–09 by \$50,000 for the purpose of increasing funding for the purpose for which the appropriation is made.

**\*b0455/2.2\* 160.** Page 245, line 18: after that line insert:

“(f) Child advocacy centers GPR A -0- 240,000”.

**\*b0360/2.1\* 161.** Page 256, line 3: decrease the dollar amount for fiscal year 2007–08 by \$48,300 for the purpose for which the appropriation is made.

**\*b0364/1.1\* 162.** Page 265, line 7: after that line insert:

“(e) Gifts, grants, and bequests PR C -0- -0-”.

**\*b0511/2.2\* 163.** Page 273, line 7: after that line insert:

“(f) Supplemental title fee matching GPR S -0- 13,623,000  
”.

**\*b0508/1.1\* 164.** Page 273, line 11: increase the dollar amount for fiscal year 2007–08 by \$50,000 to fund improvements at the Cleghorn Community Center in Eau Claire County.

**\*b0511/2.3\* 165.** Page 273, line 14: decrease the dollar amount for fiscal year 2008–09 by \$12,763,000 for the purpose of reflecting the change in funding source.

**\*b0471/5.33\* 166.** Page 274, line 1: before that line insert:

“(4m) HEALTHY WISCONSIN PLAN

(s) Healthy Wisconsin Authority      SEG      S      –0–      –0–”.

**\*b0361/3.4\* 167.** Page 278, line 17: delete lines 17 and 18 and substitute:

“(i) Integrated business information  
system; program revenues      PR      S      –0–      –0–”.

**\*b0361/3.5\* 168.** Page 279, line 10: delete lines 10 and 11 and substitute:

“(r) Integrated business information  
system; segregated revenues      SEG      S      –0–      –0–”.

**\*b0352/2.2\* 169.** Page 283, line 5: after that line insert:

“(bn) Principal repayment, interest  
and rebates      GPR      S      –0–      –0–”.

**\*b0353/1.2\* 170.** Page 283, line 14: after that line insert:

“(bu) Principal repayment, interest  
and rebates; Civil War exhibit at  
the Kenosha Public Museums      GPR      S      –0–      –0–”.

**\*b0566/1.2\* 171.** Page 283, line 14: after that line insert:



“(bv) Principal repayment, interest

and rebates; Bond Health Center GPR S –0– –0–”.

**\*b0331/3.3\* 172.** Page 286, line 2: after that line insert:

**\*b0331/3.3\* “SECTION 179j.** 20.115 (1) (u) of the statutes is amended to read:  
20.115 (1) (u) *Recyclable and nonrecyclable products regulation.* From the recycling and renewable energy fund, the amounts in the schedule for the implementation and enforcement of ss. 100.29, 100.295 and 100.33.”.

**\*b0413/2.4\* 173.** Page 287, line 11: after that line insert:

**\*b0413/2.4\* “SECTION 183p.** 20.115 (4) (am) of the statutes is created to read:  
20.115 (4) (am) *Buy local grants.* Biennially, the amounts in the schedule for buy local grants under s. 93.48.”.

**\*b0539/1.2\* 174.** Page 287, line 12: after that line insert:

**\*b0539/1.2\* “SECTION 186m.** 20.115 (4) (s) of the statutes is created to read:  
20.115 (4) (s) *Grazing lands conservation.* From the agrichemical management fund, the amounts in the schedule for grants for the Wisconsin grazing lands conservation initiative under s. 93.60.”.

**\*b0331/3.4\* 175.** Page 288, line 21: after that line insert:

**\*b0331/3.4\* “SECTION 193h.** 20.115 (7) (va) of the statutes is amended to read:  
20.115 (7) (va) *Clean sweep grants.* From the recycling and renewable energy fund, the amounts in the schedule for chemical and container collection grants under s. 93.55 and for household hazardous waste grants under s. 93.57.”.

**\*b0326/1.1\* 176.** Page 289, line 13: delete that line and substitute “9, section 9110 (5), and 2003 Wisconsin Act 33, section 9109 (1d) and (2q), 2007 Wisconsin Act .... (this act), section 9108 (4u), 2007 Wisconsin Act .... (this act), section 9108 (7f).”.

2007 Wisconsin Act .... (this act), section 9108 (8i), and 2007 Wisconsin Act .... (this act), section 9108 (9i); and for”.

**\*b0331/3.5\* 177.** Page 290, line 16: after that line insert:

**\*b0331/3.5\* “SECTION 199j.** 20.143 (1) (tm) of the statutes is created to read:  
20.143 (1) (tm) *Wisconsin development fund grants and loans; recycling and renewable energy fund.* Biennially, from the recycling and renewable energy fund, the amounts in the schedule for grants and loans under ss. 560.126 and 560.61 (1) and for grants under 2007 Wisconsin Act .... (this act), section 9108 (4v).

**\*b0331/3.5\* SECTION 199k.** 20.143 (1) (um) of the statutes is created to read:  
20.143 (1) (um) *Wisconsin development fund, administration; recycling and renewable energy fund.* From the recycling and renewable energy fund, the amounts in the schedule for administering the programs under s. 560.126 and subch. V of ch. 560.”.

**\*b0336/4.2\* 178.** Page 290, line 23: delete lines 23 and 24 and substitute “amounts in the schedule for grants and loans under s. 560.9803, for grants under s. 560.9805, and for the grant under 2007 Wisconsin Act .... (this act), section 9108 (5i). All moneys received from the Wisconsin Housing and Economic”.

**\*b0540/1.1\* 179.** Page 293, line 24: delete the material beginning with that line and ending with page 294, line 4.

**\*b0494/1.1\* 180.** Page 294, line 10: delete lines 10 to 14.

**\*b0334/2.2\* 181.** Page 301, line 12: after that line insert:

**\*b0334/2.2\* “SECTION 236n.** 20.255 (2) (af) of the statutes is created to read:

20.255 (2) (af) *Belmont school library aid*. The amounts in the schedule for aid to the Belmont School District to create an online school library catalog. No moneys may be encumbered from this appropriation after June 30, 2008.”.

**\*b0403/1.2\* 182.** Page 301, line 12: after that line insert:

**\*b0403/1.2\*** “**SECTION 236n.** 20.255 (2) (bb) of the statutes is created to read:

20.255 (2) (bb) *Aid for high poverty school districts*. The amounts in the schedule for aid to high poverty school districts under s. 121.136.

**\*b0403/1.2\*** **SECTION 236o.** 20.255 (2) (bb) of the statutes, as affected by this act, is repealed and recreated to read:

20.255 (2) (bb) *Aid for high poverty school districts*. A sum sufficient for aid to high poverty school districts under s. 121.136.”.

**\*b0534/1.2\* 183.** Page 301, line 12: after that line insert:

**\*b0534/1.2\*** “**SECTION 236o.** 20.255 (2) (be) of the statutes is created to read:

20.255 (2) (be) *Supplemental special education aid*. The amounts in the schedule for supplemental special education aid under s. 115.883.”.

**\*b0541/1.2\* 184.** Page 301, line 12: after that line insert:

**\*b0541/1.2\*** “**SECTION 236n.** 20.255 (2) (ae) of the statutes is created to read:

20.255 (2) (ae) *Sparsity aid*. The amounts in the schedule for sparsity aid to school districts under s. 115.436.”.

**\*b0476/1.8\* 185.** Page 301, line 23: after that line insert:

**\*b0476/1.8\*** “**SECTION 238b.** 20.255 (2) (cr) of the statutes is created to read:

20.255 (2) (cr) *Aid for pupil transportation*. The amounts in the schedule for the payment of state aid for transportation of public and private school pupils under subch. IV of ch. 121 and for assistance under s. 121.575 (3).”.

**\*b0476/1.9\* 186.** Page 302, line 4: after that line insert:

**\*b0476/1.9\*** “**SECTION 239b.** 20.255 (2) (cw) of the statutes is created to read:  
20.255 (2) (cw) *Aid for transportation; youth options program.* The amounts in the schedule for the payment of state aid for the transportation of pupils attending an institution of higher education or technical college under s. 118.55 (7g).”.

**\*b0476/1.10\* 187.** Page 302, line 10: after that line insert:

**\*b0476/1.10\*** “**SECTION 240b.** 20.255 (2) (cy) of the statutes is created to read:  
20.255 (2) (cy) *Aid for transportation; open enrollment.* The amounts in the schedule to reimburse parents for the costs of transportation of open enrollment pupils under ss. 118. 51 (14) (b) and 118.52 (11) (b).”.

**\*b0506/2.2\* 188.** Page 302, line 14: after that line insert:

**\*b0506/2.2\*** “**SECTION 241m.** 20.255 (2) (dL) of the statutes is created to read:  
20.255 (2) (dL) *Grants for nursing services.* The amounts in the schedule for grants to school districts for nursing services under s. 115.28 (46).”.

**\*b0476/1.11\* 189.** Page 302, line 17: after that line insert:

**\*b0476/1.11\*** “**SECTION 242q.** 20.255 (2) (vr) of the statutes, as affected by 2007 Wisconsin .... (this act), is repealed.

**\*b0476/1.11\* SECTION 242s.** 20.255 (2) (vw) of the statutes, as affected by 2007 Wisconsin Act .... (this act), is repealed.

**\*b0476/1.11\* SECTION 242u.** 20.255 (2) (vy) of the statutes, as affected by 2007 Wisconsin Act .... (this act), is repealed.”.

**\*b0538/2.2\* 190.** Page 303, line 13: after that line insert:

**\*b0538/2.2\*** “**SECTION 242s.** 20.255 (2) (u) of the statutes is created to read:

20.255 (2) (u) *La Causa Charter School*. From the universal service fund, the amounts in the schedule for La Causa Charter School in the city of Milwaukee under 2007 Wisconsin Act .... (this act), section 9137 (7c) (a). No moneys may be encumbered from this appropriation after June 30, 2008.”.

**\*b0331/3.6\* 191.** Page 310, line 8: after that line insert:

**\*b0331/3.6\* “SECTION 261r.** 20.285 (1) (tb) of the statutes is amended to read:

20.285 (1) (tb) *Extension recycling education*. From the recycling and renewable energy fund, the amounts in the schedule for University of Wisconsin–Extension educational and technical assistance programs in recycling and recycling market development.

**\*b0331/3.6\* SECTION 261t.** 20.285 (1) (tm) of the statutes is amended to read:

20.285 (1) (tm) *Solid waste research and experiments*. From the recycling and renewable energy fund, the amounts in the schedule for research into alternative methods of solid waste management and for administering solid waste experiment centers.”.

**\*b0350/1.21\* 192.** Page 310, line 24: after that line insert:

**\*b0350/1.21\* “SECTION 263b.** 20.292 (1) (fc) of the statutes is created to read:

20.292 (1) (fc) *Driver education, local assistance*. The amounts in the schedule, to be distributed to technical college districts for operating driver training programs under s. 38.28 (2) (c) and (g).”.

**\*b0350/1.22\* 193.** Page 311, line 5: after that line insert:

**\*b0350/1.22\* “SECTION 264b.** 20.292 (1) (fg) of the statutes is created to read:

20.292 (1) (fg) *Chauffeur training grants*. As a continuing appropriation, the amounts in the schedule for advanced chauffeur training grants under s. 38.29.”.

**\*b0350/1.23\* 194.** Page 311, line 11: after that line insert:

**\*b0350/1.23\*** “**SECTION 265b.** 20.292 (1) (fp) of the statutes is created to read:  
20.292 (1) (fp) *Emergency medical technician — basic training; state operations.* The amounts in the schedule for technical assistance and administrative support for emergency medical technician — basic training.”.

**\*b0350/1.24\* 195.** Page 311, line 18: after that line insert:

**\*b0350/1.24\*** “**SECTION 265p.** 20.292 (1) (r) of the statutes, as affected by 2007 Wisconsin Act .... (this act), is repealed.

**\*b0350/1.24\*** **SECTION 265r.** 20.292 (1) (u) of the statutes, as affected by 2007 Wisconsin Act .... (this act), is repealed.

**\*b0350/1.24\*** **SECTION 265t.** 20.292 (1) (v) of the statutes, as affected by 2007 Wisconsin Act .... (this act), is repealed.”.

**\*b0503/4.2\* 196.** Page 314, line 12: after that line insert:

**\*b0503/4.2\*** “**SECTION 274m.** 20.370 (1) (ms) of the statutes is amended to read:  
20.370 (1) (ms) *General program operations — state all-terrain vehicle projects.*  
The amounts in the schedule from moneys received from all-terrain vehicle fees under s. 23.33 (2) (c) to (e) and ~~(2j)~~ for state all-terrain vehicle projects.”.

**\*b0350/1.25\* 197.** Page 314, line 18: after that line insert:

**\*b0350/1.25\*** “**SECTION 276b.** 20.370 (2) (cf) of the statutes is created to read:  
20.370 (2) (cf) *Air management — motor vehicle emission inspection and maintenance program, state funds.* The amounts in the schedule for the administration of the motor vehicle emission inspection and maintenance program under s. 285.30.

**\*b0350/1.25\* SECTION 276d.** 20.370 (2) (cq) of the statutes, as affected by 2007 Wisconsin Act .... (this act), is repealed.”.

**\*b0331/3.7\* 198.** Page 314, line 25: after that line insert:

**\*b0331/3.7\* “SECTION 278g.** 20.370 (2) (hq) of the statutes is amended to read:  
20.370 (2) (hq) *Recycling; administration.* From the recycling and renewable energy fund, the amounts in the schedule for the administration of subch. II of ch. 287, other than ss. 287.21, 287.23 and 287.25.”.

**\*b0350/1.26\* 199.** Page 315, line 6: after that line insert:

**\*b0350/1.26\* “SECTION 279b.** 20.370 (3) (ad) of the statutes is created to read:  
20.370 (3) (ad) *Law enforcement — car kill deer; general fund.* From the general fund, the amounts in the schedule to pay 50 percent of the costs of the removal and disposal of car kill deer from highways.”.

**\*b0350/1.27\* 200.** Page 315, line 11: after that line insert:

**\*b0350/1.27\* “SECTION 280d.** 20.370 (3) (ay) of the statutes, as affected by 2007 Wisconsin Act .... (this act), is repealed.”.

**\*b0331/3.8\* 201.** Page 315, line 15: after that line insert:

**\*b0331/3.8\* “SECTION 281g.** 20.370 (3) (mr) of the statutes is amended to read:  
20.370 (3) (mr) *Recycling; enforcement and research.* From the recycling and renewable energy fund, the amounts in the schedule for research and enforcement under subch. II of ch. 287, other than under ss. 287.21, 287.23 and 287.25.”.

**\*b0387/3.2\* 202.** Page 315, line 18: after “Center” insert “under s. 30.255”.

**\*b0387/3.3\* 203.** Page 315, line 19: delete lines 19 and 20.

**\*b0332/3.2\* 204.** Page 317, line 3: after that line insert:

**\*b0332/3.2\* “SECTION 282fc.** 20.370 (5) (cu) of the statutes is amended to read:

20.370 (5) (cu) *Recreation aids — all-terrain vehicle project aids.* As a continuing appropriation, the amounts in the schedule from moneys received from all-terrain vehicle fees under s. 23.33 (2) (c) to (e) and (2j) to provide aid to towns, villages, cities, counties, and federal agencies for nonstate all-terrain vehicle projects, to make incentive payments to landowners under s. 23.33 (5r), and to provide grants under s. 23.33 (11m) (g) to counties and municipalities participating in the lightweight utility vehicle pilot program.

**\*b0503/4.3\* SECTION 282km.** 20.370 (5) (cu) of the statutes, as affected by 2007 Wisconsin Act ..... (this act), is amended to read:

20.370 (5) (cu) *Recreation aids — all-terrain vehicle project aids.* As a continuing appropriation, the amounts in the schedule from moneys received from all-terrain vehicle fees under s. 23.33 (2) (c) to (e) ~~and (2j)~~ to provide aid to towns, villages, cities, counties, and federal agencies for nonstate all-terrain vehicle projects, ~~to make incentive payments to landowners under s. 23.33 (5r), and to provide grants under s. 23.33 (11m) (g) to counties and municipalities participating in the lightweight utility vehicle pilot program.~~

**\*b0503/4.3\* SECTION 282L.** 20.370 (5) (cv) of the statutes is created to read:

20.370 (5) (cv) *Recreation aids — all-terrain vehicle landowner incentive program.* All moneys received as fees under s. 23.33 (2j) to be used for incentive payments to landowners for public all-terrain vehicle corridors under s. 23.33 (5r).”.

**\*b0331/3.9\* 205.** Page 317, line 11: after that line insert:

**\*b0331/3.9\* “SECTION 282nf.** 20.370 (6) (br) of the statutes is amended to read:

20.370 (6) (br) *Environmental aids — waste reduction and recycling.* From the recycling and renewable energy fund, as a continuing appropriation, the amounts in



the schedule for waste reduction and recycling demonstration grants under s. 287.25 and for business waste reduction and recycling assistance under s. 287.26.

**\*b0331/3.9\* SECTION 282nh.** 20.370 (6) (bu) of the statutes is amended to read:

20.370 (6) (bu) *Financial assistance for responsible units.* From the recycling and renewable energy fund, the amounts in the schedule for grants to responsible units under s. 287.23.

**\*b0331/3.9\* SECTION 282nj.** 20.370 (6) (bv) of the statutes is amended to read:

20.370 (6) (bv) *Recycling efficiency incentive grants.* From the recycling and renewable energy fund, the amounts in the schedule for recycling efficiency incentive grants under s. 287.235.”.

**\*b0545/2.2\* 206.** Page 317, line 11: after that line insert:

**\*b0545/2.2\* “SECTION 282n.** 20.370 (6) (at) of the statutes is created to read:

20.370 (6) (at) *Environmental aids — invasive aquatic species; contributions.* From the conservation fund, all moneys received from voluntary contributions under ss. 29.5645 and 30.53 (3r) for grants under s. 23.22 (2) (c) to control invasive species that are aquatic species.”.

**\*b0330/1.1\* 207.** Page 317, line 14: after that line insert:

**\*b0330/1.1\* “SECTION 282r.** 20.370 (6) (dq) of the statutes is amended to read:

20.370 (6) (dq) *Environmental aids – urban nonpoint source.* Biennially, from the environmental fund, the amounts in the schedule to provide financial assistance for urban nonpoint source water pollution abatement and storm water management under s. 281.66 and for municipal flood control and riparian restoration under s. 281.665 and to make the grant under 2007 Wisconsin Act .... (this act), section 9135 (1i).”.

**\*b0435/1.2\* 208.** Page 317, line 14: after that line insert:

**\*b0435/1.2\*** “**SECTION 282w.** 20.370 (6) (ev) of the statutes is created to read:  
20.370 (6) (ev) *Reimbursement for disposal of contaminated sediment.* From the recycling fund, the amounts in the schedule for reimbursement for out-of-state disposal of contaminated sediment under s. 292.68.”.

**\*b0331/3.10\* 209.** Page 324, line 5: after that line insert:

**\*b0331/3.10\*** “**SECTION 302k.** 20.370 (8) (iw) of the statutes is amended to read:  
20.370 (8) (iw) *Statewide recycling administration.* From the recycling and renewable energy fund, the amounts in the schedule for administration of a statewide recycling program under ch. 287.”.

**\*b0350/1.28\* 210.** Page 324, line 5: after that line insert:

**\*b0350/1.28\*** “**SECTION 302b.** 20.370 (7) (mc) of the statutes is created to read:  
20.370 (7) (mc) *Resource maintenance and development — state park, forest and riverway roads.* As a continuing appropriation, the amounts in the schedule for state park and forest roads and roads in the Lower Wisconsin State Riverway as defined in s. 30.40 (15) under s. 84.28 and for the maintenance of roads in state parks under ch. 27 and recreation areas in state forests under ch. 28 which are not eligible for funding under s. 84.28. The department may expend up to \$400,000 from this appropriation in each fiscal year for state park and forest roads and roads in the Lower Wisconsin State Riverway as defined in s. 30.40 (15) under s. 84.28 and shall expend the balance from the appropriation for the maintenance of roads which are not eligible for funding under s. 84.28.

**\*b0350/1.28\* SECTION 302f.** 20.370 (7) (mr) of the statutes, as affected by 2007 Wisconsin Act .... (this act), is repealed.”.

**\*b0331/3.11\* 211.** Page 324, line 9: after that line insert:

**\*b0331/3.11\* “SECTION 302tk.** 20.370 (9) (is) of the statutes is amended to read:

20.370 (9) (is) *Statewide recycling administration.* From the recycling and renewable energy fund, the amounts in the schedule for the administration of recycling activities under ch. 287.”.

**\*b0426/P1.1\* 212.** Page 325, line 18: after that line insert:

**\*b0426/P1.1\* “SECTION 309c.** 20.395 (3) (cq) of the statutes is amended to read:

20.395 (3) (cq) *State highway rehabilitation, state funds.* As a continuing appropriation, the amounts in the schedule for improvement of existing state trunk and connecting highways; for improvement of bridges on state trunk or connecting highways and other bridges for which improvement is a state responsibility, for necessary approach work for such bridges and for replacement of such bridges with at-grade crossing improvements; for the construction and rehabilitation of the national system of interstate and defense highways and bridges and related appurtenances; for special maintenance activities under s. 84.04 on roadside improvements; for bridges under s. 84.10; for the bridge project under s. 84.115; for payment to a local unit of government for a jurisdictional transfer under s. 84.02 (8); for the disadvantaged business demonstration and training program under s. 84.076; for the transfers required under 1999 Wisconsin Act 9, section 9250 (1) and 2003 Wisconsin Act 33, section 9153 (4q); and for the purposes described under 1999 Wisconsin Act 9, section 9150 (8g), ~~and~~ 2001 Wisconsin Act 16, section 9152 (4e), and 2007 Wisconsin Act .... (this act), section 9148 (9x). This paragraph does not apply to any southeast Wisconsin freeway rehabilitation projects under s. 84.014, or to the

installation, replacement, rehabilitation, or maintenance of highway signs, traffic control signals, highway lighting, pavement markings, or intelligent transportation systems, unless incidental to the improvement of existing state trunk and connecting highways.”.

**\*b0511/2.4\* 213.** Page 326, line 16: after that line insert:

**\*b0511/2.4\* “SECTION 310c.** 20.395 (6) (af) of the statutes, as affected by 2007 Wisconsin Act .... (this act), is amended to read:

20.395 (6) (af) *Principal repayment and interest, local roads for job preservation program and major highway and rehabilitation projects, state funds.* From the general fund, a sum sufficient, ~~less any amount appropriated under par. (bq),~~ to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the local roads for job preservation program under s. 86.312 and major highway and rehabilitation projects, as provided under ss. 20.866 (2) (uum) and (uur), 84.555, and 84.95, to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing the local roads for job preservation program under s. 86.312, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).”.

**\*b0511/2.5\* 214.** Page 328, line 9: after that line insert:

**\*b0511/2.5\* “SECTION 315c.** 20.395 (6) (bq) of the statutes, as created by 2007 Wisconsin Act .... (this act), is repealed.”.

**\*b0331/3.12\* 215.** Page 330, line 3: after that line insert:

**\*b0331/3.12\* “SECTION 320f.** 20.410 (1) (qm) of the statutes is amended to read:

20.410 (1) (qm) *Computer recycling*. From the recycling and renewable energy fund, the amounts in the schedule for the department to recycle computers.”.

**\*b0341/2.7\* 216.** Page 330, line 3: after that line insert:

**\*b0341/2.7\* “SECTION 322.** 20.410 (2) (a) of the statutes is amended to read:

20.410 (2) (a) *General program operations*. The amounts in the schedule for the general program operations of the parole earned release review commission.”.

**\*b0488/P1.8\* 217.** Page 335, line 11: after that line insert:

**\*b0488/P1.8\* “SECTION 329.** 20.425 (1) (a) of the statutes is amended to read:

20.425 (1) (a) *General program operations*. The amounts in the schedule for the purposes provided in subchs. I, IV ~~and~~, V, and VI of ch. 111 and s. 230.45 (1).”.

**\*b0382/3.6\* 218.** Page 335, line 21: after that line insert:

**\*b0382/3.6\* “SECTION 330s.** 20.434 of the statutes is created to read:

**20.434 Board for people with developmental disabilities.** There is appropriated to the board for people with developmental disabilities for the following program:

(1) DEVELOPMENTAL DISABILITIES. (a) *General program operations*. The amounts in the schedule to be used for general program operations of the board for people with developmental disabilities.

(mc) *Federal project operations*. All moneys received from the federal government as project operations under 42 USC 15021 to 15029, for the purposes for which provided.

(md) *Federal project aids*. All moneys received from the federal government as aids under 42 USC 15021 to 15029, for the purposes for which provided.”.

**\*b0454/1.3\* 219.** Page 337, line 21: after that line insert:

**\*b0454/1.3\*** “**SECTION 341x.** 20.435 (3) (bc) of the statutes is amended to read:  
20.435 (3) (bc) *Grants for children’s community programs.* The amounts in the schedule for grants for children’s community programs under s. 46.481 and 2007 Wisconsin Act .... (this act), section 9121 (9u). Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds between fiscal years under this paragraph. All moneys under this appropriation account that are distributed under s. 46.481 or 2007 Wisconsin Act .... (this act), section 9121 (9u) but are not encumbered by December 31 of each year lapse to the general fund on the next January 1 unless carried forward to the next calendar year by the joint committee on finance.”.

**\*b0454/1.4\* 220.** Page 337, line 22: after “statutes” insert “, as affected by 2007 Wisconsin Act .... (this act), section 341x,”.

**\*b0454/1.5\* 221.** Page 337, line 23: after “48.481” insert “and 2007 Wisconsin Act .... (this act), section ~~9121~~ 9155 (9u)”.

**\*b0454/1.6\* 222.** Page 338, line 3: after “48.481” insert “or 2007 Wisconsin Act .... (this act), section ~~9121~~ 9155 (9u)”.

**\*b0444/1.5\* 223.** Page 349, line 3: delete lines 3 to 6.

**\*b0350/1.29\* 224.** Page 350, line 14: after that line insert:

**\*b0350/1.29\*** “**SECTION 403b.** 20.435 (5) (ch) of the statutes is created to read:  
20.435 (5) (ch) *Emergency medical services; aids.* The amounts in the schedule for emergency medical technician — basic training and examination aid under s. 146.55 (5) and for ambulance service vehicles or vehicle equipment, emergency medical services supplies or equipment or emergency medical training for personnel under s. 146.55 (4).”.

**\*b0444/1.6\* 225.** Page 350, line 14: after that line insert:

**\*b0444/1.6\*** “SECTION 403m. 20.435 (5) (dg) of the statutes is created to read:  
20.435 (5) (dg) *Clinic aids*. Biennially, the amounts in the schedule for aids  
under s. 146.68.”.

**\*b0473/1.2\* 226.** Page 350, line 14: after that line insert:

**\*b0473/1.2\*** “SECTION 403r. 20.435 (5) (dm) of the statutes is amended to read:  
20.435 (5) (dm) *Rural health dental clinics*. The amounts in the schedule for  
the rural health dental clinics under s. 146.65 and grants under 2007 Wisconsin Act  
.... (this act), section 9121 (8x).”.

**\*b0350/1.30\* 227.** Page 351, line 16: after that line insert:

**\*b0350/1.30\*** “SECTION 407g. 20.435 (5) (rb) of the statutes, as affected by 2007  
Wisconsin Act .... (this act), is repealed.”.

**\*b0454/1.7\* 228.** Page 360, line 3: after that line insert:

**\*b0454/1.7\*** “SECTION 424e. 20.437 (1) (bc) of the statutes, as affected by 2007  
Wisconsin Act .... (this act), section 342, is amended to read:

20.437 (1) (bc) *Grants for children’s community programs*. The amounts in the  
schedule for grants for children’s community programs under s. 48.481 ~~and 2007~~  
~~Wisconsin Act .... (this act), section 9155 (9u)~~. Notwithstanding ss. 20.001 (3) (a) and  
20.002 (1), the department may transfer funds between fiscal years under this  
paragraph. All moneys under this appropriation account that are distributed under  
s. 48.481 ~~or 2007 Wisconsin Act .... (this act), section 9155 (9u)~~ but are not  
encumbered by December 31 of each year lapse to the general fund on the next  
January 1 unless carried forward to the next calendar year by the joint committee  
on finance.”.

**\*b0382/3.7\* 229.** Page 364, line 13: delete lines 13 to 15.

**\*b0350/1.31\* 230.** Page 367, line 13: after that line insert:

**\*b0350/1.31\*** “SECTION 440b. 20.445 (1) (fg) of the statutes is created to read: 20.445 (1) (fg) *Employment transit aids, state funds.* The amounts in the schedule for the employment transit assistance program under s. 106.26.”.

**\*b0350/1.32\* 231.** Page 368, line 19: after that line insert:

**\*b0350/1.32\*** “SECTION 445f. 20.445 (1) (uz) of the statutes, as affected by 2007 Wisconsin Act .... (this act), is repealed.”.

**\*b0350/1.33\* 232.** Page 378, line 15: after that line insert:

**\*b0350/1.33\*** “SECTION 502b. 20.465 (3) (dd) of the statutes is created to read: 20.465 (3) (dd) *Regional emergency response teams.* The amounts in the schedule for payments to regional emergency response teams under s. 166.215 (1).”.

**\*b0350/1.34\* 233.** Page 378, line 20: after that line insert:

**\*b0350/1.34\*** “SECTION 503b. 20.465 (3) (dp) of the statutes is created to read: 20.465 (3) (dp) *Emergency response equipment.* The amounts in the schedule for grants for the costs of computers and emergency response equipment under s. 166.21 (2) (br).”.

**\*b0350/1.35\* 234.** Page 379, line 2: after that line insert:

**\*b0350/1.35\*** “SECTION 504b. 20.465 (3) (dr) of the statutes is created to read: 20.465 (3) (dr) *Emergency response supplement.* As a continuing appropriation, the amounts in the schedule to be used for response costs of a regional emergency response team that are not reimbursed under s. 166.215 (2) or (3) and for response costs of a local agency that are not reimbursed under s. 166.22 (4).”.

**\*b0350/1.36\* 235.** Page 379, line 8: after that line insert:



**\*b0350/1.36\*** “**SECTION 505b.** 20.465 (3) (dt) of the statutes is created to read:  
20.465 (3) (dt) *Emergency response training.* Biennially, the amounts in the schedule for the division of emergency management to provide training for emergency response to releases of hazardous substances.”.

**\*b0350/1.37\*** **236.** Page 379, line 13: after that line insert:

**\*b0350/1.37\*** “**SECTION 506b.** 20.465 (3) (f) of the statutes is created to read:  
20.465 (3) (f) *Civil air patrol aids.* The amounts in the schedule to provide assistance to the civil air patrol under s. 166.03 (2) (a) 5.”.

**\*b0350/1.38\*** **237.** Page 379, line 18: after that line insert:

**\*b0350/1.38\*** “**SECTION 507d.** 20.465 (3) (u) of the statutes, as affected by 2007 Wisconsin Act .... (this act), is repealed.

**\*b0350/1.38\*** **SECTION 507f.** 20.465 (3) (v) of the statutes, as affected by 2007 Wisconsin Act .... (this act), is repealed.

**\*b0350/1.38\*** **SECTION 507h.** 20.465 (3) (w) of the statutes, as affected by 2007 Wisconsin Act .... (this act), is repealed.

**\*b0350/1.38\*** **SECTION 507j.** 20.465 (3) (x) of the statutes, as affected by 2007 Wisconsin Act .... (this act), is repealed.

**\*b0350/1.38\*** **SECTION 507L.** 20.465 (3) (y) of the statutes, as affected by 2007 Wisconsin Act .... (this act), is repealed.”.

**\*b0322/1.2\*** **238.** Page 381, line 13: after that line insert:

**\*b0322/1.2\*** “**SECTION 513g.** 20.485 (2) (e) of the statutes is created to read:  
20.485 (2) (e) *Korean War memorial grant.* From the general fund, the amounts in the schedule for the refurbishment of the Korean War memorial at Plover. No moneys may be encumbered from this appropriation after June 30, 2008.”.

**\*b0331/3.13\* 239.** Page 382, line 21: after that line insert:

**\*b0331/3.13\*** “SECTION 516d. 20.490 (5) (q) of the statutes is amended to read:

20.490 (5) (q) *Recycling and renewable energy fund transfer to Wisconsin development reserve fund.* From the recycling and renewable energy fund, as a continuing appropriation, the amounts in the schedule to be transferred to the Wisconsin development reserve fund under s. 234.93.”.

**\*b0373/P3.5\* 240.** Page 382, line 25: after that line insert:

**\*b0373/P3.5\*** “SECTION 518. 20.505 (1) (kr) of the statutes is created to read:

20.505 (1) (kr) *Legal services.* All moneys received from assessments levied against state agencies under s. 16.004 (15) (b) for legal services provided by the department of administration to be used for providing those legal services.”.

**\*b0361/3.6\* 241.** Page 383, line 1: before that line insert:

**\*b0361/3.6\*** “SECTION 517is. 20.505 (1) (is) of the statutes is amended to read:

20.505 (1) (is) *Information technology and communications services; nonstate entities.* From the sources specified in ss. 16.972 (2) (b) and (c), 16.974 (2) and (3), and 16.997 (2) (d), to provide computer, telecommunications, electronic communications, and supercomputer services, but not integrated business information system services under s. 16.971 (2) (cf). to state authorities, units of the federal government, local governmental units, and entities in the private sector, the amounts in the schedule.

**\*b0361/3.6\* SECTION 517iv.** 20.505 (1) (iv) of the statutes is created to read:

20.505 (1) (iv) *Integrated business information system; nonstate entities.* All moneys received from any authority, as defined in s. 16.97 (2), or local governmental

unit, as defined in s. 16.97 (7), for information system purposes under s. 16.971 (2) (cf), to be used for those purposes.

**\*b0361/3.6\* SECTION 517kd.** 20.505 (1) (kd) of the statutes is created to read:

20.505 (1) (kd) *Integrated business information system.* All moneys received from any agency, as defined in s. 16.97 (1m), for information technology purposes under s. 16.971 (2) (cf), to be used for those purposes.

**\*b0361/3.6\* SECTION 517kL.** 20.505 (1) (kL) of the statutes is amended to read:

20.505 (1) (kL) *Printing, mail, communication, and information technology services; agencies.* From the sources specified in ss. 16.971, 16.972, 16.973, and 16.974 (3), to provide printing, mail processing, electronic communications, and information technology development, management, and processing services, but not integrated business information system services under s. 16.971 (2) (cf), to state agencies, the amounts in the schedule.”.

**\*b0382/3.8\* 242.** Page 384, line 4: after that line insert:

**\*b0382/3.8\* “SECTION 524w.** 20.505 (4) (h) of the statutes is amended to read:

20.505 (4) (h) *Program services.* The amounts in the schedule to carry out the responsibilities of divisions, commissions, and boards attached to the department of administration, other than the board on aging and long-term care, the board for people with developmental disabilities, and the public records board, and to carry out the responsibilities of special and executive committees. All moneys received from fees which are authorized by law or administrative rule to be collected by any division, board or commission attached to the department, other than the board on aging and long-term care, the board for people with developmental disabilities, and the public records board, and all moneys received from fees that are authorized by

law or executive order to be collected by any special or executive committee shall be credited to this appropriation account and used to carry out the purposes for which collected.”.

**\*b0455/2.3\* 243.** Page 388, line 24: after that line insert:

**\*b0455/2.3\*** “**SECTION 536m.** 20.505 (6) (f) of the statutes is created to read:  
20.505 (6) (f) *Child advocacy centers.* The amounts in the schedule for grants to child advocacy centers under s. 16.964 (14).”.

**\*b0488/P1.9\* 244.** Page 390, line 8: after that line insert:

**\*b0488/P1.9\*** “**SECTION 544.** 20.545 (1) (a) of the statutes is amended to read:  
20.545 (1) (a) *General program operations.* The amounts in the schedule to administer the employment relations functions and the civil service system under ~~subch.~~ subchs. V and VI of ch. 111 and ch. 230, to pay awards under s. 230.48 and to defray the expenses of the state employees suggestion board.”.

**\*b0331/3.14\* 245.** Page 392, line 7: after that line insert:

**\*b0331/3.14\*** “**SECTION 551r.** 20.566 (1) (q) of the statutes is amended to read:  
20.566 (1) (q) *Recycling surcharge administration.* From the recycling and renewable energy fund, the amounts in the schedule for the costs, including data processing costs, incurred in administering the recycling surcharge under subch. VII of ch. 77.”.

**\*b0364/1.2\* 246.** Page 393, line 25: after that line insert:

**\*b0364/1.2\*** “**SECTION 558g.** 20.765 (1) (e) of the statutes is created to read:  
20.765 (1) (e) *Gifts, grants, and bequests.* All moneys received from gifts, grants, and bequests to carry out the purposes for which made.”.

**\*b0535/2.1\* 247.** Page 394, line 25: delete “and 79.043” and substitute “79.043, and 79.044”.

**\*b0511/2.6\* 248.** Page 396, line 1: delete that line.

**\*b0471/5.34\* 249.** Page 396, line 12: after that line insert:

**\*b0471/5.34\* “SECTION 573h.** 20.855 (4m) of the statutes is created to read:  
20.855 (4m) HEALTHY WISCONSIN PLAN. (s) *Healthy Wisconsin Authority.* From the Healthy Wisconsin trust fund, a sum sufficient to pay the Healthy Wisconsin Authority for the operation and funding of the Healthy Wisconsin Plan under ch. 260.”.

**\*b0511/2.7\* 250.** Page 396, line 12: after that line insert:

**\*b0511/2.7\* “SECTION 573c.** 20.855 (4) (rm) of the statutes, as created by 2007 Wisconsin Act .... (this act), is repealed.”.

**\*b0328/2.2\* 251.** Page 396, line 12: delete “on October 1 annually” and substitute “quarterly as provided in s. 85.037”.

**\*b0361/3.7\* 252.** Page 396, line 20: after that line insert:

**\*b0361/3.7\* “SECTION 580i.** 20.865 (2) (i) of the statutes is created to read:  
20.865 (2) (i) *Integrated business information system; program revenues.* From the appropriate program revenue and program revenue–service accounts, a sum sufficient to supplement the appropriations to state agencies to cover costs incurred by state agencies under s. 16.971 (2) (cf) in excess of budgeted amounts.

**\*b0361/3.7\* SECTION 580r.** 20.865 (2) (r) of the statutes is created to read:

20.865 (2) (r) *Integrated business information system; segregated revenues.*  
From the appropriate segregated funds, a sum sufficient to supplement the

appropriations to state agencies to cover costs incurred by state agencies under s. 16.971 (2) (cf) in excess of budgeted amounts.”.

**\*b0488/P1.10\* 253.** Page 396, line 20: after that line insert:

**\*b0488/P1.10\* “SECTION 576.** 20.865 (1) (ci) of the statutes is amended to read:

20.865 (1) (ci) *Nonrepresented university system senior executive, faculty and academic pay adjustments.* A sum sufficient to pay the cost of pay and related adjustments approved by the joint committee on employment relations under s. 230.12 (3) (e) for University of Wisconsin System employees under ss. 20.923 (4g), (5) and (6) (m) and 230.08 (2) (d) who are not included within a collective bargaining unit for which a representative is certified under subch. V or VI of ch. 111, as determined under s. 20.928, other than adjustments funded under par. (cj).

**\*b0488/P1.10\* SECTION 577.** 20.865 (1) (cm) of the statutes is created to read:

20.865 (1) (cm) *Represented university system faculty and academic staff pay adjustments.* A sum sufficient to supplement the appropriations to the Board of Regents of the University of Wisconsin System for the cost of compensation and related adjustments approved by the legislature under s. 111.9991 for University of Wisconsin System employees under s. 230.08 (2) (d) who are included within a collective bargaining unit for which a representative is certified under subch. VI of ch. 111, as determined under s. 20.928.

**\*b0488/P1.10\* SECTION 578.** 20.865 (1) (ic) of the statutes is amended to read:

20.865 (1) (ic) *Nonrepresented university system senior executive, faculty and academic pay adjustments.* From the appropriate program revenue and program revenue–service accounts, a sum sufficient to supplement the appropriations to the University of Wisconsin System to pay the cost of pay and related adjustments

approved by the joint committee on employment relations under s. 230.12 (3) (e) for University of Wisconsin System employees under ss. 20.923 (4g), (5) and (6) (m) and 230.08 (2) (d) who are not included within a collective bargaining unit for which a representative is certified under subch. V or VI of ch. 111, as determined under s. 20.928, other than adjustments funded under par. (cj).

**\*b0488/P1.10\* SECTION 579.** 20.865 (1) (im) of the statutes is created to read:

20.865 (1) (im) *Represented university system faculty and academic staff pay adjustments; program revenue.* From the appropriate program revenue and program revenue–service accounts, a sum sufficient to supplement the appropriations to the Board of Regents of the University of Wisconsin System for the cost of compensation and related adjustments approved by the joint committee on employment relations under s. 230.12 (3) (e) for University of Wisconsin System employees under s. 230.08 (2) (d) who are included within a collective bargaining unit for which a representative is certified under subch. VI of ch. 111, as determined under s. 20.928.

**\*b0488/P1.10\* SECTION 580.** 20.865 (1) (si) of the statutes is amended to read:

20.865 (1) (si) *Nonrepresented university system senior executive, faculty and academic pay adjustments.* From the appropriate segregated funds, a sum sufficient to supplement the appropriations to the University of Wisconsin System to pay the cost of pay and related adjustments approved by the joint committee on employment relations under s. 230.12 (3) (e) for University of Wisconsin System employees under ss. 20.923 (4g), (5) and (6) (m) and 230.08 (2) (d) who are not included within a collective bargaining unit for which a representative is certified under subch. V or VI of ch. 111, as determined under s. 20.928.

**\*b0488/P1.10\* SECTION 581.** 20.865 (1) (sm) of the statutes is created to read:

20.865 (1) (sm) *Represented university system faculty and academic staff pay adjustments; segregated revenues.* From the appropriate segregated funds, a sum sufficient to supplement the appropriations to the Board of Regents of the University of Wisconsin System for the cost of compensation and related adjustments approved by the joint committee on employment relations under s. 230.12 (3) (e) for University of Wisconsin System employees under s. 230.08 (2) (d) who are included within a collective bargaining unit for which a representative is certified under subch. VI of ch. 111, as determined under s. 20.928.”.

**\*b0352/2.3\* 254.** Page 397, line 16: after “(bm),” insert “(bn).”

**\*b0353/1.3\* 255.** Page 397, line 16: after “(bt),” insert “(bu).”

**\*b0566/1.3\* 256.** Page 397, line 16: after “(bt),” insert “(bv).”

**\*b0511/2.8\* 257.** Page 397, line 19: after that line insert:

**\*b0511/2.8\*** “SECTION 583c. 20.866 (1) (u) of the statutes, as affected by 2007 Wisconsin Act .... (this act), is amended to read:

20.866 (1) (u) *Principal repayment and interest.* A sum sufficient from moneys appropriated under sub. (2) (zp) and ss. 20.115 (2) (d) and (7) (b), (f), and (s), 20.190 (1) (c), (d), (i), and (j), 20.225 (1) (c) and (i), 20.245 (1) (e) and (j), 20.250 (1) (c) and (e), 20.255 (1) (d), 20.285 (1) (d), (db), (im), (in), (je), (jq), (kd), (km), and (ko) and (5) (i), 20.320 (1) (c) and (t) and (2) (c), 20.370 (7) (aa), (ac), (ag), (aq), (ar), (at), (au), (bq), (br), (ca), (cb), (cc), (cd), (ce), (cf), (cg), (ea), (eq), and (er), 20.395 (6) (af), (aq), (ar), and (au), ~~and (bq)~~, 20.410 (1) (e), (ec), and (ko) and (3) (e), 20.435 (2) (ee) and (6) (e), 20.465 (1) (d), 20.485 (1) (f) and (go), (3) (t) and (4) (qm), 20.505 (4) (es), (et), (ha), and (hb) and (5) (c), (g), (kc), and (kd), 20.855 (8) (a), and 20.867 (1) (a) and (b) and (3) (a), (b), (bm), (bp), (bq), (br), (bt), (g), (h), (i), and (q) for the payment of principal, interest, premium



due, if any, and payment due, if any, under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a) relating to any public debt contracted under subchs. I and IV of ch. 18.”.

**\*b0354/1.1\* 258.** Page 398, line 9: increase the underscored dollar amount by \$157,606,600.

**\*b0355/1.1\* 259.** Page 398, line 9: increase the underscored dollar amount by \$205,614,000.

**\*b0439/1.1\* 260.** Page 400, line 5: substitute “\$11,000,000” for “\$9,500,000”.

**\*b0330/1.2\* 261.** Page 400, line 19: delete “and to” and substitute “and, to”.

**\*b0330/1.3\* 262.** Page 400, line 21: after “281.665” insert “, and to make the grant under 2007 Wisconsin Act .... (this act), section 9135 (1i)”.

**\*b0439/1.2\* 263.** Page 400, line 22: substitute “\$29,900,000” for “\$28,600,000”.

**\*b0420/3.2\* 264.** Page 402, line 10: delete “\$303,300,000” and substitute “\$280,000,000”.

**\*b0566/1.4\* 265.** Page 404, line 9: after that line insert:

**\*b0566/1.4\*** “SECTION 596hd. 20.866 (2) (zbc) of the statutes is created to read:  
20.866 (2) (zbc) *Bond Health Center*: From the capital improvement fund, a sum sufficient for the building commission to provide a grant to the Bond Health Center specified in s. 13.48 (36p) (b) for construction costs related to expanding a hospital facility. The state may contract public debt in an amount not to exceed \$1,000,000 for this purpose.”.

**\*b0352/2.4\* 266.** Page 404, line 16: after that line insert:

**\*b0352/2.4\*** “**SECTION 596kd.** 20.866 (2) (zbs) of the statutes is created to read:

20.866 (2) (zbs) *Hmong cultural center.* From the capital improvement fund, a sum sufficient for the building commission to provide a grant to an organization specified in s. 13.48 (36) (b) for purchase or construction of a Hmong cultural center in Dane County. The state may contract public debt in an amount not to exceed \$2,000,000 for this purpose.”.

**\*b0353/1.4\* 267.** Page 404, line 16: after that line insert:

**\*b0353/1.4\*** “**SECTION 596k.** 20.866 (2) (zbn) of the statutes is created to read:

20.866 (2) (zbn) *Civil War exhibit at the Kenosha Public Museums.* From the capital improvement fund, a sum sufficient for the building commission to provide a grant to the Kenosha Public Museums for construction of a Civil War exhibit. The state may contract public debt in an amount not to exceed \$500,000 for this purpose.”.

**\*b0352/2.5\* 268.** Page 407, line 22: after that line insert:

**\*b0352/2.5\*** “**SECTION 602c.** 20.867 (3) (bn) of the statutes is created to read:

20.867 (3) (bn) *Principal repayment, interest and rebates; Hmong cultural center.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the purchase or construction of a Hmong cultural center in the Dane County, to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing the purchase or construction of the center, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).”.

**\*b0353/1.5\* 269.** Page 409, line 7: after that line insert:

**\*b0353/1.5\*** “**SECTION 606h.** 20.867 (3) (bu) of the statutes is created to read:

20.867 (3) (bu) *Principal repayment, interest and rebates; Civil War exhibit at the Kenosha Public Museums.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the construction of a Civil War exhibit as part of the Kenosha Public Museums, to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing the construction of the exhibit, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).”.

**\*b0566/1.5\* 270.** Page 409, line 7: after that line insert:

**\*b0566/1.5\*** “SECTION 606c. 20.867 (3) (bv) of the statutes is created to read:

20.867 (3) (bv) *Principal repayment, interest, and rebates; Bond Health Center.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing construction costs related to the Bond Health Center expansion specified in s. 13.48 (36p) (b), to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing the construction costs, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).”.

**\*b0361/3.8\* 271.** Page 411, line 1: before that line insert:

**\*b0361/3.8\*** “SECTION 611p. 20.903 (2) (b) of the statutes is amended to read:

20.903 (2) (b) Notwithstanding sub. (1), liabilities may be created and moneys expended from the appropriations under ss. 20.370 (8) (mt), 20.395 (4) (eq), (er) and (es) and 20.505 (1) (im), (ka), (kb), ~~and (kc)~~, and (kd) in an additional amount not exceeding the depreciated value of equipment for operations financed under ss.

20.370 (8) (mt), 20.395 (4) (eq), (er) and (es) and 20.505 (1) (im), (ka), (kb), ~~and (kc), and (kd)~~. The secretary of administration may require such statements of assets and liabilities as he or she deems necessary before approving expenditure estimates in excess of the unexpended moneys in the appropriation account.”.

**\*b0488/P1.11\* 272.** Page 411, line 4: after that line insert:

**\*b0488/P1.11\* “SECTION 613.** 20.917 (3) (b) of the statutes is amended to read:

20.917 (3) (b) This subsection applies to employees in all positions in the civil service, including those employees in positions included in collective bargaining units under subch. V or VI of ch. 111, whether or not the employees are covered by a collective bargaining agreement.”.

**\*b0341/2.8\* 273.** Page 411, line 13: after that line insert:

**\*b0341/2.8\* “SECTION 615.** 20.923 (4) (b) 6. of the statutes is amended to read:

20.923 (4) (b) 6. Parole Earned release review commission: chairperson.”.

**\*b0488/P1.12\* 274.** Page 412, line 4: after that line insert:

**\*b0488/P1.12\* “SECTION 627.** 20.923 (6) (intro.) of the statutes is amended to read:

20.923 (6) SALARIES SET BY APPOINTING AUTHORITIES. (intro.) Salaries for the following positions may be set by the appointing authority, subject to restrictions otherwise set forth in the statutes and the compensation plan under s. 230.12, except where the salaries are a subject of bargaining with a certified representative of a collective bargaining unit under s. 111.91 or 111.998:”.

**\*b0488/P1.13\* 275.** Page 413, line 11: after that line insert:

**\*b0488/P1.13\* “SECTION 634.** 20.928 (1) of the statutes is amended to read:

20.928 (1) Each state agency head shall certify to the department of administration, at such time and in such manner as the secretary of administration prescribes, the sum of money needed by the state agency from the appropriations under s. 20.865 (1) (c), (ci), (cm), (cj), (d), (i), (ic), (im), (j), (s), (si), (sm), and (t). Upon receipt of the certifications together with such additional information as the secretary of administration prescribes, the secretary shall determine the amounts required from the respective appropriations to supplement state agency budgets.”.

**\*b0369/1.1\* 276.** Page 422, line 3: after that line insert:

**\*b0369/1.1\*** “SECTION 635n. 21.72 (1) (a) 10. of the statutes is amended to read:  
21.72 (1) (a) 10. A certificate issued under s. 103.275, 103.34, 103.91, or 103.92.”.

**\*b0503/4.4\* 277.** Page 433, line 16: after that line insert:

**\*b0503/4.4\*** “SECTION 664m. 23.33 (2j) (c) of the statutes is amended to read:  
23.33 (2j) (c) The fee for a nonresident trail pass issued for an all-terrain vehicle that is exempt from registration under sub. (2) (b) 2. is ~~\$17.25~~ \$34.25. A nonresident trail pass issued for such an all-terrain vehicle may be issued only by the department and persons appointed by the department and expires on June 30 of each year.”.

**\*b0329/1.1\* 278.** Page 434, line 5: after that line insert:

**\*b0329/1.1\*** “SECTION 668. 23.51 (1m) of the statutes is amended to read:  
23.51 (1m) “Citation” means a ~~pleading of essential facts and applicable law coupled with a demand for judgment, which notifies~~ complaint and includes a notification to the person cited of a violation of a statute or rule enumerated in s.

23.50 (1) or of a violation of a local ordinance, and requests the person to appear in court. ~~Part of the citation is a complaint.~~

**\*b0329/1.1\* SECTION 669.** 23.54 (1) of the statutes is amended to read:

23.54 (1) A citation may be prepared on a paper form or in an electronic format.  
The defendant shall receive a copy of the citation. The citation shall contain ~~a~~  
~~complaint,~~ an area to record the case history and a report of court action on the case.

**\*b0329/1.1\* SECTION 670.** 23.54 (2) of the statutes is repealed.

**\*b0329/1.1\* SECTION 671.** 23.62 (1) (a) of the statutes is amended to read:

23.62 (1) (a) Issue a citation to the defendant in the ~~form~~ manner specified in s. 23.54, a paper copy or electronic version of which shall be filed with the clerk of courts in the county where the violation was committed or with the office of the municipal judge in the case of an ordinance violation;

**\*b0329/1.1\* SECTION 672.** 23.62 (2) (a) of the statutes is amended to read:

23.62 (2) (a) If the defendant is a resident of this state, a law enforcement officer may serve a citation anywhere in the state by following the procedures used for the service of a summons under s. 801.11 (1) (a) or (b) 1. or 1m. or (2) or by mailing a paper copy to the defendant's last-known address.

**\*b0329/1.1\* SECTION 673.** 23.62 (2) (b) of the statutes is amended to read:

23.62 (2) (b) If the defendant is not a resident of the state, a law enforcement officer may serve a citation by delivering a paper copy to the defendant personally or by mailing a paper copy to the defendant's last-known address.

**\*b0329/1.1\* SECTION 674.** 23.68 of the statutes is amended to read:

**23.68 Pleading.** The A citation or complaint issued pursuant to s. 23.62 or a complaint issued pursuant to s. 23.65 may serve as the initial pleading and, notwithstanding any other provisions of the statutes, shall be deemed adequate

process to give the appropriate court jurisdiction over the person upon the filing of the citation or complaint with such court.”.

**\*b0332/3.3\* 279.** Page 434, line 5: after that line insert:

**\*b0332/3.3\* “SECTION 666m.** 23.33 (11m) of the statutes is created to read:

**23.33 (11m)** LIGHTWEIGHT UTILITY VEHICLES PILOT PROGRAM. (a) In this subsection:

1. “Golf cart” means a vehicle whose speed attainable in one mile does not exceed 20 miles per hour on a paved, level surface, and is designed and intended to convey one or more persons and equipment to play the game of golf in an area designated as a golf course.

2. “Lightweight utility vehicle” means an engine–driven device having a gross weight of more than 700 pounds but not more than 1,999 pounds that is designed to travel on 4 or more low–pressure tires, is equipped with a cargo area, and is used primarily off a highway. “Lightweight utility vehicle” does not include golf carts or low–speed vehicles.

3. “Low pressure tire” means a tire that is designed to be mounted on a rim with a maximum diameter of 14 inches and to be inflated with an operating pressure not to exceed 20 pounds per square inch as recommended by the manufacturer.

4. “Low–speed vehicle” means a low–speed vehicle, as defined in 49 CFR 571.3, that satisfies the equipment standards under 49 CFR 571.500 and that was originally manufactured to meet the applicable equipment standards under 49 CFR 571.500. “Low–speed vehicle” does not include a golf cart.

5. “Municipality” means a city, village, or town.

(b) The department of natural resources, in consultation with the department of transportation, shall administer a pilot program to investigate the effects of using lightweight utility vehicles on trails and roadways that are used and authorized to be used by all-terrain vehicles, to evaluate whether it is feasible and appropriate to expand the allowable use of lightweight utility vehicles.

(c) The counties of Florence, Forest, Sawyer, Marinette, and Washburn, and the municipalities within those counties, are eligible to participate in the pilot program, and the governing body of each county or municipality may elect to participate in the pilot program by adopting a resolution to that effect. The governing body of each county or municipality may withdraw from the pilot program prior to the end of the pilot program under par. (h) by adopting a resolution to that effect.

(d) The counties and municipalities in the pilot program may designate any of the following:

1. All-terrain vehicle routes and trails within their respective jurisdictions that may be used by operators of lightweight utility vehicles.

2. All-terrain vehicle routes and trails within their respective jurisdictions upon which lightweight utility vehicle use is prohibited.

(e) For the purposes of all of the following, a lightweight utility vehicle that is operated as authorized under this subsection is considered an all-terrain vehicle:

1. Sections 345.11 (1r), 346.02 (11), 349.02, 885.235 (1g) and (1k), 895.049, and 901.053.

2. Subsections (3), (3g), (4), (4c) to (4x), (6), (7), (10), (12), and (13).

3. Local ordinances enacted by a county or municipality under sub. (11).

(f) In addition to the provisions under par. (e), the operation of a lightweight utility vehicle as authorized under the pilot program is subject to all of the following:



1. The operator of a lightweight utility vehicle must possess a valid motor vehicle operator's license.

2. Any trail fees imposed on all-terrain vehicle use by a county or municipality also apply to operation of a lightweight utility vehicle.

(g) The department of natural resources, in consultation with the department of transportation and with the counties and municipalities participating in the pilot program, shall evaluate the effect of using lightweight utility vehicles on roadways and on all-terrain vehicle routes and trails upon conclusion of the pilot program. The department may make grants from the appropriation under s. 20.370 (5) (cu) to each participating county and municipality, for the purpose of assisting the department of natural resources in the evaluation. The department of natural resources shall make grants in such a manner that the total amount of grants for a given county, including the grants to municipalities located wholly or partially in that county, does not exceed \$2,000. The department of natural resources shall report the results of its evaluation to the legislature under s. 13.172 (2) no later than January 1, 2010.

(h) The pilot program under this subsection does not apply after September 30, 2009.”.

**\*b0503/4.5\* 280.** Page 434, line 5: after that line insert:

**\*b0503/4.5\*** “SECTION 665g. 23.33 (5m) (title) of the statutes is amended to read:

23.33 (5m) (title) ~~GRANT~~ SAFETY PROGRAM.

**\*b0503/4.5\*** SECTION 665r. 23.33 (5r) of the statutes is created to read:

23.33 (5r) LANDOWNER INCENTIVE PROGRAM. (a) In this subsection “public all-terrain vehicle corridor” has the meaning given in s. 23.33 (2j) (a).

(b) The department shall establish a program to make incentive payments to private landowners who permit public all-terrain vehicle corridors on their lands and who apply for the payments.

(c) An application is not considered complete until the forester or another employee of each county in which the public all-terrain vehicle corridor is located measures the length of the corridor in that county for the purpose of calculating the payment.

(d) Incentive payments under the program shall be calculated as follows:

1. For a public all-terrain vehicle corridor that was open to the public for 60 days or more but for less than 180 days in the previous fiscal year, the incentive payment shall be \$25 per mile.

2. For a public all-terrain vehicle corridor that was open to the public for 180 days or more but for less than 270 days in the previous fiscal year, the incentive payment shall be \$75 per mile.

3. For a public all-terrain vehicle corridor that was open to the public for 270 days or more in the previous fiscal year, the incentive payment shall be \$100 per mile.

(e) If a private landowner enters into an agreement with a county to allow a public all-terrain vehicle corridor on the landowner's land for a period of at least 5 years, the landowner shall receive a supplemental payment, in addition to the payment as calculated under par. (c), that equals 10 percent of the payment calculated under par. (c) for each full or partial fiscal year that is included in the 5-year period.

(f) If the total amount of incentive payments made in a given fiscal year would exceed the amount available for the payments, the department shall establish a system to prorate the payments.

(g) During fiscal year 2007–08, the department may expend up to \$100,000 from the appropriation under s. 20.370 (5) (cu) for incentive payments under this program.”.

**\*b0331/3.15\* 281.** Page 436, line 20: after that line insert:

**\*b0331/3.15\* “SECTION 678n.** 25.17 (1) (nm) of the statutes is amended to read:  
25.17 (1) (nm) Recycling and renewable energy fund (s. 25.49);”.

**\*b0471/5.35\* 282.** Page 436, line 20: after that line insert:

**\*b0471/5.35\* “SECTION 678h.** 25.17 (1) (ge) of the statutes is created to read:  
25.17 (1) (ge) Healthy Wisconsin trust fund (s. 25.775).”.

**\*b0494/1.2\* 283.** Page 436, line 21: delete lines 21 and 22.

**\*b0494/1.3\* 284.** Page 438, line 1: delete lines 1 to 6.

**\*b0350/1.39\* 285.** Page 438, line 8: after that line insert:

**\*b0350/1.39\* “SECTION 687c.** 25.40 (2) (b) 10. of the statutes is created to read:  
25.40 (2) (b) 10. Section 20.292 (1) (r).

**\*b0350/1.39\* SECTION 687cm.** 25.40 (2) (b) 10. of the statutes, as created by  
2007 Wisconsin Act .... (this act), is repealed.

**\*b0350/1.39\* SECTION 687d.** 25.40 (2) (b) 11. of the statutes is created to read:  
25.40 (2) (b) 11. Section 20.292 (1) (u).

**\*b0350/1.39\* SECTION 687dm.** 25.40 (2) (b) 11. of the statutes, as created by  
2007 Wisconsin Act .... (this act), is repealed.

**\*b0350/1.39\* SECTION 687e.** 25.40 (2) (b) 12. of the statutes is created to read:  
25.40 (2) (b) 12. Section 20.292 (1) (v).

**\*b0350/1.39\* SECTION 687em.** 25.40 (2) (b) 12. of the statutes, as created by  
2007 Wisconsin Act .... (this act), is repealed.

**\*b0350/1.39\* SECTION 687f.** 25.40 (2) (b) 13. of the statutes is created to read:  
25.40 (2) (b) 13. Section 20.370 (2) (cq).

**\*b0350/1.39\* SECTION 687fm.** 25.40 (2) (b) 13. of the statutes, as created by  
2007 Wisconsin Act .... (this act), is repealed.

**\*b0350/1.39\* SECTION 687g.** 25.40 (2) (b) 14. of the statutes is created to read:  
25.40 (2) (b) 14. Section 20.370 (3) (ay).

**\*b0350/1.39\* SECTION 687gm.** 25.40 (2) (b) 14. of the statutes, as created by  
2007 Wisconsin Act .... (this act), is repealed.

**\*b0350/1.39\* SECTION 687h.** 25.40 (2) (b) 15. of the statutes is created to read:  
25.40 (2) (b) 15. Section 20.370 (7) (mr).

**\*b0350/1.39\* SECTION 687hm.** 25.40 (2) (b) 15. of the statutes, as created by  
2007 Wisconsin Act .... (this act), is repealed.

**\*b0350/1.39\* SECTION 687i.** 25.40 (2) (b) 20c. of the statutes is created to read:  
25.40 (2) (b) 20c. Section 20.435 (5) (rb).

**\*b0350/1.39\* SECTION 687im.** 25.40 (2) (b) 20c. of the statutes, as created by  
2007 Wisconsin Act .... (this act), is repealed.

**\*b0350/1.39\* SECTION 687j.** 25.40 (2) (b) 20e. of the statutes is created to read:  
25.40 (2) (b) 20e. Section 20.445 (1) (uz).

**\*b0350/1.39\* SECTION 687jm.** 25.40 (2) (b) 20e. of the statutes, as created by  
2007 Wisconsin Act .... (this act), is repealed.

**\*b0350/1.39\* SECTION 687k.** 25.40 (2) (b) 20g. of the statutes is created to read:  
25.40 (2) (b) 20g. Section 20.465 (3) (u).

**\*b0350/1.39\* SECTION 687km.** 25.40 (2) (b) 20g. of the statutes, as created by  
2007 Wisconsin Act .... (this act), is repealed.

**\*b0350/1.39\* SECTION 687L.** 25.40 (2) (b) 20i. of the statutes is created to read:

25.40 (2) (b) 20i. Section 20.465 (3) (v).

**\*b0350/1.39\* SECTION 687Lm.** 25.40 (2) (b) 20i. of the statutes, as created by 2007 Wisconsin Act .... (this act), is repealed.

**\*b0350/1.39\* SECTION 687m.** 25.40 (2) (b) 20k. of the statutes is created to read:

25.40 (2) (b) 20k. Section 20.465 (3) (w).

**\*b0350/1.39\* SECTION 687mm.** 25.40 (2) (b) 20k. of the statutes, as created by 2007 Wisconsin Act .... (this act), is repealed.

**\*b0350/1.39\* SECTION 687n.** 25.40 (2) (b) 20m. of the statutes is created to read:

25.40 (2) (b) 20m. Section 20.465 (3) (x).

**\*b0350/1.39\* SECTION 687nm.** 25.40 (2) (b) 20m. of the statutes, as created by 2007 Wisconsin Act .... (this act), is repealed.

**\*b0350/1.39\* SECTION 687o.** 25.40 (2) (b) 20o. of the statutes is created to read:

25.40 (2) (b) 20o. Section 20.465 (3) (y).

**\*b0350/1.39\* SECTION 687om.** 25.40 (2) (b) 20o. of the statutes, as created by 2007 Wisconsin Act .... (this act), is repealed.”.

**\*b0476/1.12\* 286.** Page 438, line 8: after that line insert:

**\*b0476/1.12\* “SECTION 688d.** 25.40 (2) (b) 5. of the statutes is created to read:

25.40 (2) (b) 5. Section 20.255 (2) (vr).

**\*b0476/1.12\* SECTION 688f.** 25.40 (2) (b) 5. of the statutes, as affected by 2007 Wisconsin Act .... (this act), is repealed.

**\*b0476/1.12\* SECTION 688h.** 25.40 (2) (b) 6. of the statutes is created to read:

25.40 (2) (b) 6. Section 20.255 (2) (vw).

**\*b0476/1.12\* SECTION 688j.** 25.40 (2) (b) 6. of the statutes, as affected by 2007 Wisconsin Act .... (this act), is repealed.

**\*b0476/1.12\* SECTION 688L.** 25.40 (2) (b) 7. of the statutes is created to read:  
25.40 (2) (b) 7. Section 20.255 (2) (vy).

**\*b0476/1.12\* SECTION 688n.** 25.40 (2) (b) 7. of the statutes, as affected by 2007 Wisconsin Act .... (this act), is repealed.”.

**\*b0511/2.9\* 287.** Page 438, line 8: after that line insert:

**\*b0511/2.9\* “SECTION 687p.** 25.40 (2) (b) 23m. of the statutes is created to read:  
25.40 (2) (b) 23m. Section 20.855 (4) (rm).

**\*b0511/2.9\* SECTION 687pm.** 25.40 (2) (b) 23m. of the statutes, as created by 2007 Wisconsin Act .... (this act), is repealed.”.

**\*b0511/2.10\* 288.** Page 438, line 11: after that line insert:

**\*b0511/2.10\* “SECTION 689c.** 25.46 (1m) of the statutes, as affected by 2007 Wisconsin Act .... (this act), is amended to read:

25.46 (1m) The moneys transferred under s. 20.855 (4) (~~rm~~) (f) for nonpoint source water pollution abatement.”.

**\*b0331/3.16\* 289.** Page 438, line 15: after that line insert:

**\*b0331/3.16\* “SECTION 690t.** 25.49 (intro.) of the statutes is amended to read:  
**25.49 Recycling and renewable energy fund.** (intro.) There is established a separate nonlapsible trust fund designated as the recycling and renewable energy fund, to consist of:”.

**\*b0471/5.36\* 290.** Page 440, line 14: after that line insert:

**\*b0471/5.36\* “SECTION 698h.** 25.775 of the statutes is created to read:

**25.775 Healthy Wisconsin trust fund. (1)** There is established a separate, nonlapsible trust fund designated as the Healthy Wisconsin trust fund, consisting of all moneys appropriated or transferred to or deposited in the fund.”.

**\*b0522/1.2\* 291.** Page 442, line 19: delete the material beginning with that line and ending with page 443, line 13.

**\*b0545/2.3\* 292.** Page 446, line 17: after that line insert:

**\*b0545/2.3\* “SECTION 708h.** 29.229 (4) (f) of the statutes is amended to read:  
29.229 (4) (f) Sections 29.024 (3), (4) (b), (5) (b), (7), (8) and (9), 29.559 (2) and, 29.564, and 29.5645 do not apply to any approval that may be issued under this section.”.

**\*b0459/1.1\* 293.** Page 449, line 21: after that line insert:

**\*b0459/1.1\* “SECTION 713d.** 29.541 (1) (a) (intro.) of the statutes is amended to read:

29.541 (1) (a) (intro.) Except as authorized under s. 29.934 (2) or 254.715, no innkeeper, manager or steward of any restaurant, club, hotel, boarding house, tavern, logging camp or mining camp may sell, barter, serve or give, or cause to be sold, bartered, served or given, to its guests or boarders any of the following:”.

**\*b0545/2.4\* 294.** Page 451, line 5: after that line insert:

**\*b0545/2.4\* “SECTION 716c.** 29.5645 of the statutes is created to read:

**29.5645 Voluntary contributions; aquatic invasive species control. (1)** Any applicant for a fishing license listed under s. 29.563 (3) may, in addition to paying any fee charged for the license, elect to make a voluntary contribution to be used for aquatic invasive species control grants.

(2) The department shall ensure that each application form for a fishing license listed under s. 29.563 (3), including any electronic form authorized by the department, contain a designation that allows the applicant to specify an additional amount as a voluntary contribution under sub. (1).

(3) All moneys collected under sub. (1) shall be credited to the appropriation account under s. 20.370 (6) (at).”.

**\*b0387/3.4\* 295.** Page 456, line 3: after that line insert:

**\*b0387/3.4\* “SECTION 718m.** 30.255 of the statutes is created to read:

**30.255 Florence Wild Rivers Interpretive Center.** Beginning with fiscal year 2007–08, the department shall provide a grant in the amount of \$27,000 in each fiscal year to the Florence Wild Rivers Interpretive Center to be used for park and recreation uses, forestry education, and tourist information provided by the center and for its operational costs.”.

**\*b0545/2.5\* 296.** Page 457, line 8: after that line insert:

**\*b0545/2.5\* “SECTION 725d.** 30.53 (3r) of the statutes is created to read:

**30.53 (3r) VOLUNTARY CONTRIBUTIONS; AQUATIC INVASIVE SPECIES CONTROL.** (a) Any applicant for the issuance or renewal of a certificate of number or registration under s. 30.52 (3) (b) to (im) may, in addition to paying any fee charged for the certificate, elect to make a voluntary contribution to be used for aquatic invasive species control grants.

(b) The department shall ensure that each application form for the issuance or renewal of a certificate of number or registration under s. 30.52 (3) (b) to (im), including any electronic form authorized by the department, contain a designation



that allows the applicant to specify an additional amount as a voluntary contribution under par. (a).

(c) All moneys collected under par. (a) shall be credited to the appropriation account under s. 20.370 (6) (at).”.

**\*b0488/P1.14\* 297.** Page 464, line 6: after that line insert:

**\*b0488/P1.14\* “SECTION 729.** 36.09 (1) (j) of the statutes is amended to read:

36.09 (1) (j) Except where such matters are a subject of bargaining with a certified representative of a collective bargaining unit under s. 111.91 or 111.998, the board shall establish salaries for persons not in the classified staff prior to July 1 of each year for the next fiscal year, and shall designate the effective dates for payment of the new salaries. In the first year of the biennium, payments of the salaries established for the preceding year shall be continued until the biennial budget bill is enacted. If the budget is enacted after July 1, payments shall be made following enactment of the budget to satisfy the obligations incurred on the effective dates, as designated by the board, for the new salaries, subject only to the appropriation of funds by the legislature and s. 20.928 (3). This paragraph does not limit the authority of the board to establish salaries for new appointments. The board may not increase the salaries of employees specified in ss. 20.923 (5) and (6) (m) and 230.08 (2) (d) under this paragraph unless the salary increase conforms to the proposal as approved under s. 230.12 (3) (e) or the board authorizes the salary increase to correct salary inequities under par. (h), to fund job reclassifications or promotions, or to recognize competitive factors. The board may not increase the salary of any position identified in s. 20.923 (4g) under this paragraph unless the salary increase conforms to the proposal as approved under s. 230.12 (3) (e) or the

board authorizes the salary increase to correct a salary inequity or to recognize competitive factors. The board may not increase the salary of any position identified in s. 20.923 (4g) (ae) and (am) to correct a salary inequity that results from the appointment of a person to a position identified in s. 20.923 (4g) (ae) and (am) unless the increase is approved by the office of state employment relations. The granting of salary increases to recognize competitive factors does not obligate inclusion of the annualized amount of the increases in the appropriations under s. 20.285 (1) for subsequent fiscal bienniums. No later than October 1 of each year, the board shall report to the joint committee on finance and the secretary of administration and director of the office of state employment relations concerning the amounts of any salary increases granted to recognize competitive factors, and the institutions at which they are granted, for the 12-month period ending on the preceding June 30.”.

**\*b0436/3.1\* 298.** Page 467, line 4: delete lines 4 to 7 and substitute “36.27 (3n) (b) (intro.) ~~Except as provided in subds. 1. to 3., the~~ The board shall grant full remission of academic fees and segregated fees ~~for 128 credits or 8 semesters, whichever is longer,~~ to any resident student”.

**\*b0436/3.2\* 299.** Page 467, line 15: after that line insert:

**\*b0436/3.2\* “SECTION 734mm.** 36.27 (3n) (bq) of the statutes is created to read:  
36.27 (3n) (bq) The board shall grant a remission under this subsection to a person for the lesser of the following, less the number of credits or semesters for which the person received remission of fees under s. 38.24 (7):

1. 128 credits or 8 semesters, whichever is longer.
2. Until completion of a sufficient number of credits to be awarded a bachelor’s degree in the person’s major field of study.”.

**\*b0436/3.3\* 300.** Page 468, line 2: after “veteran.” insert “A student who at any time is granted a remission under par. (bg) is not eligible for a remission under this paragraph.”.

**\*b0436/3.4\* 301.** Page 468, line 2: after that line insert:

**\*b0436/3.4\* SECTION 735m.** 36.27 (3p) (bg) of the statutes is created to read:

36.27 (3p) (bg) 1. Except as provided in par. (bm), the board shall grant remission of nonresident tuition, academic fees, and segregated fees charged for 48 credits or until completion of a sufficient number of credits to be awarded a graduate degree in the student’s field of study, whichever is less, less the amount of any academic fees or segregated fees paid under 10 USC 2107 (c) or 38 USC 3104 (a) (7) (A), to any student enrolled as a graduate student who is a veteran. A student who at any time was granted a remission under par. (b) or s. 38.24 (8) (b) is not eligible for a remission under this paragraph.

2. The amount of a remission granted under subd. 1. to a graduate student may not exceed the amount of a remission granted under par. (b) to a resident undergraduate student at the same institution for the same number of credits.”.

**\*b0436/3.5\* 302.** Page 477, line 11: after “veteran.” insert “A student who at any time is granted a remission under s. 36.27 (3p) (bg) is not eligible for a remission under this paragraph.”.

**\*b0350/1.40\* 303.** Page 478, line 3: after that line insert:

**\*b0350/1.40\* SECTION 742b.** 38.28 (3) of the statutes, as affected by 2007 Wisconsin Act .... (this act), is amended to read:

38.28 (3) If the appropriation for state aid under s. 20.292 (1) ~~(u)~~ (fc) in any one year is insufficient to pay the full amount under subs. (2) (c) and (g), funds in the

appropriation shall be used first for the purposes of sub. (2) (c) and any remaining funds shall be prorated among the districts entitled to support under sub. (2) (g). If the appropriation for state aid under s. 20.292 (1) ~~(u)~~ (fc) in any one year is insufficient to pay the full amount under sub. (2) (c), funds in the appropriation shall be prorated among the districts entitled to the funds.”.

**\*b0350/1.41\* 304.** Page 478, line 6: after that line insert:

**\*b0350/1.41\* “SECTION 743b.** 38.29 (2) (c) of the statutes, as affected by 2007 Wisconsin Act .... (this act), is amended to read:

38.29 **(2)** (c) Amounts awarded shall be paid from the appropriation under s. 20.292 (1) ~~(v)~~ (fg).”.

**\*b0503/4.6\* 305.** Page 479, line 18: after that line insert:

**\*b0503/4.6\* “SECTION 743s.** 39.12 (5) of the statutes is amended to read:

39.12 **(5)** Any corporation established under this section shall be organized so that contributions to it will be deductible from adjusted gross income under section 170 of the internal revenue code and so that the corporation will be exempt from taxation under section 501 of the internal revenue code and ss. 71.26 (1) (a) and 71.45 (1) (a).”.

**\*b0475/2.1\* 306.** Page 483, line 16: after that line insert:

**\*b0475/2.1\* “SECTION 751d.** 40.02 (20) of the statutes is renumbered 40.02 (20) (intro.) and amended to read:

40.02 **(20)** (intro.) “Dependent” means the:

(a) Except as provided in pars. (b) and (bt), the spouse, minor child, including stepchildren of the current marriage dependent on the employee for support and maintenance, or child of any age, including stepchildren of the current marriage, if

handicapped to an extent requiring continued dependence. For group insurance purposes only, the department may promulgate rules with a different definition of “dependent” than the one otherwise provided in this subsection paragraph for each group insurance plan.

**\*b0475/2.1\* SECTION 751h.** 40.02 (20) (b) of the statutes is created to read:

40.02 (20) (b) For a state employee or for an annuitant who was employed by a state agency on the day on which he or she terminated covered employment, the spouse, domestic partner, minor child, including stepchildren of the current marriage or children of a domestic partner dependent on the employee or annuitant for support and maintenance, or child of any age, including stepchildren of the current marriage or children of a domestic partner, if handicapped to an extent requiring continued dependence.

**\*b0475/2.1\* SECTION 751i.** 40.02 (20) (bt) of the statutes is created to read:

40.02 (20) (bt) For the purpose of health care coverage under s. 40.51 (7), but only if the employer consents, in writing, to the department, the spouse, domestic partner, minor child, including stepchildren of the current marriage or children of a domestic partner dependent on the employee for support and maintenance, or child of any age, including stepchildren of the current marriage or children of a domestic partner, if handicapped to an extent requiring continued dependence.

**\*b0475/2.1\* SECTION 751p.** 40.02 (21c) of the statutes is created to read:

40.02 (21c) “Domestic partner” means an individual in a domestic partnership.

**\*b0475/2.1\* SECTION 751t.** 40.02 (21d) of the statutes is created to read:

40.02 (21d) “Domestic partnership” means a relationship between 2 individuals that satisfies all of the following:

(a) Each individual is at least 18 years old and otherwise competent to enter into a contract.

(b) Neither individual is married to, or in a domestic partnership with, another individual.

(c) The 2 individuals are not related by blood in any way that would prohibit marriage under s. 765.03.

(d) The 2 individuals consider themselves to be members of each other's immediate family.

(e) The 2 individuals agree to be responsible for each other's basic living expenses.”.

**\*b0488/P1.15\* 307.** Page 483, line 16: after that line insert:

**\*b0488/P1.15\*** “SECTION 755. 40.02 (25) (b) 8. of the statutes is amended to read:

40.02 (25) (b) 8. Any other state employee for whom coverage is authorized under a collective bargaining agreement pursuant to subch. I or V, or VI of ch. 111 or under s. 230.12 or 233.10.”.

**\*b0488/P1.16\* 308.** Page 485, line 2: after that line insert:

**\*b0488/P1.16\*** “SECTION 762. 40.05 (1) (b) of the statutes is amended to read:  
40.05 (1) (b) In lieu of employee payment, the employer may pay all or part of the contributions required by par. (a), but all the payments shall be available for benefit purposes to the same extent as required contributions deducted from earnings of the participating employees. Action to assume employee contributions as provided under this paragraph shall be taken at the time and in the form determined by the governing body of the participating employer. The state shall pay

under this paragraph for employees who are covered by a collective bargaining agreement under subch. V or VI of ch. 111 and for employees whose fringe benefits are determined under s. 230.12 an amount equal to 4% of the earnings paid by the state unless otherwise provided in a collective bargaining agreement under subch. V or VI of ch. 111 or unless otherwise determined under s. 230.12. The University of Wisconsin Hospitals and Clinics Authority shall pay under this paragraph for employees who are covered by a collective bargaining agreement under subch. I of ch. 111 and for employees whose fringe benefits are determined under s. 233.10 an amount equal to 4% of the earnings paid by the authority unless otherwise provided in a collective bargaining agreement under subch. I of ch. 111 or unless otherwise determined under s. 233.10. The state shall pay under this paragraph for employees who are not covered by a collective bargaining agreement under subch. V or VI of ch. 111 and for employees whose fringe benefits are not determined under s. 230.12 an amount equal to 4% of the earnings paid by the state unless a different amount is recommended by the director of the office of state employment relations and approved by the joint committee on employment relations in the manner provided for approval of changes in the compensation plan under s. 230.12 (3). The University of Wisconsin Hospitals and Clinics Authority shall pay under this paragraph for its employees who are not covered by a collective bargaining agreement under subch. I of ch. 111 an amount equal to 4% of the earnings paid by the authority unless a different amount is established by the board of directors of the authority under s. 233.10.”.

**\*b0471/5.37\* 309.** Page 485, line 17: after that line insert:

**\*b0471/5.37\* “SECTION 765cb.** 40.05 (4) (a) 4. of the statutes is created to read:

40.05 (4) (a) 4. This paragraph does not apply to any insured employee or retired insured employee who receives health care coverage under the Healthy Wisconsin Plan under ch. 260.

**\*b0471/5.37\* SECTION 765db.** 40.05 (4) (ag) (intro.) of the statutes is amended to read:

40.05 (4) (ag) (intro.) Beginning on January 1, 2004, except as otherwise provided in accordance with a collective bargaining agreement under subch. I or V, or VI of ch. 111 or s. 230.12 or 233.10, the employer shall pay for its currently employed insured employees who are not covered under the Healthy Wisconsin Plan under ch. 260:

**\*b0471/5.37\* SECTION 765eb.** 40.05 (4) (ar) of the statutes is repealed.

**\*b0471/5.37\* SECTION 765fb.** 40.05 (4) (b) of the statutes is amended to read:

40.05 (4) (b) Except as provided under pars. (bc) and (bp), accumulated unused sick leave under ss. 13.121 (4), 36.30, 230.35 (2), 233.10, and 757.02 (5) and subch. I or V, or VI of ch. 111 of any eligible employee shall, at the time of death, upon qualifying for an immediate annuity or for a lump sum payment under s. 40.25 (1) or upon termination of creditable service and qualifying as an eligible employee under s. 40.02 (25) (b) 6. or 10., be converted, at the employee's highest basic pay rate he or she received while employed by the state, to credits for payment of health insurance premiums on behalf of the employee or the employee's surviving insured dependents. Any supplemental compensation that is paid to a state employee who is classified under the state classified civil service as a teacher, teacher supervisor, or education director for the employee's completion of educational courses that have been approved by the employee's employer is considered as part of the employee's basic pay for purposes of this paragraph. The full premium for any eligible employee



who is insured at the time of retirement, or for the surviving insured dependents of an eligible employee who is deceased, shall be deducted from the credits until the credits are exhausted and paid from the account under s. 40.04 (10), and then deducted from annuity payments, if the annuity is sufficient. The department shall provide for the direct payment of premiums by the insured to the insurer if the premium to be withheld exceeds the annuity payment. Upon conversion of an employee's unused sick leave to credits under this paragraph or par. (bf), the employee or, if the employee is deceased, the employee's surviving insured dependents may initiate deductions from those credits or may elect to delay initiation of deductions from those credits, but only if the employee or surviving insured dependents are covered by a comparable health insurance plan or policy during the period beginning on the date of the conversion and ending on the date on which the employee or surviving insured dependents later elect to initiate deductions from those credits. If an employee or an employee's surviving insured dependents elect to delay initiation of deductions from those credits, an employee or the employee's surviving insured dependents may only later elect to initiate deductions from those credits during the annual enrollment period under par. (be). A health insurance plan or policy is considered comparable if it provides hospital and medical benefits that are substantially equivalent to ~~the standard health insurance plan established under s. 40.52 (1)~~ benefits provided under the Healthy Wisconsin Plan under ch. 260.

**\*b0471/5.37\* SECTION 765gb.** 40.05 (4) (be) of the statutes is amended to read:

40.05 (4) (be) The department shall establish an annual enrollment period during which an employee or, if the employee is deceased, an employee's surviving insured dependents may elect to initiate or delay continuation of deductions from the

employee's sick leave credits under par. (b). An employee or surviving insured dependent may elect to continue or delay continuation of such deductions any number of times. If an employee or surviving insured dependent has initiated the deductions but later elects to delay continuation of the deductions, the employee or surviving insured dependent must be covered by a comparable health insurance plan or policy during the period beginning on the date on which the employee or surviving insured dependent delays continuation of the deductions and ending on the date on which the employee or surviving insured dependent later elects to continue the deductions. A health insurance plan or policy is considered comparable if it provides hospital and medical benefits that are substantially equivalent to ~~the standard health insurance plan established under s. 40.52 (1)~~ benefits provided under the Healthy Wisconsin Plan under ch. 260.

**\*b0471/5.37\* SECTION 765hb.** 40.05 (4g) (d) of the statutes is created to read:

40.05 **(4g)** (d) This subsection shall not apply to an eligible employee who is receiving health care coverage under the Healthy Wisconsin Plan under ch. 260 while on active duty in the U.S. armed forces.

**\*b0471/5.37\* SECTION 765ib.** 40.51 (1) of the statutes is amended to read:

40.51 **(1)** The procedures and provisions pertaining to enrollment, premium transmitted and coverage of eligible employees for health care benefits shall be established by contract or rule except as otherwise specifically provided by this chapter. Notwithstanding subs. (6) and (7), an eligible employee who is covered under the Healthy Wisconsin Plan under ch. 260 may not receive coverage under this subchapter for any coverage provided the employee under ch. 260.

**\*b0471/5.37\* SECTION 765jb.** 40.51 (2) of the statutes is amended to read:

40.51 (2) Except as provided in subs. (10), (10m), (11) and (16), any eligible employee may become covered by group health insurance benefits under this subchapter by electing coverage within 30 days of being hired, to be effective as of the first day of the month which begins on or after the date the application is received by the employer, or by electing coverage prior to becoming eligible for any employer contribution towards the premium cost as provided in s. 40.05 (4) (a) to be effective upon becoming eligible for employer contributions. ~~An eligible employee who is not insured, but who is eligible for an employer contribution under s. 40.05 (4) (ag) 1., may elect coverage prior to becoming eligible for an employer contribution under s. 40.05 (4) (ag) 2., with the coverage to be effective upon becoming eligible for the increase in the employer contribution.~~ Any employee who does not so elect at one of these times, or who subsequently cancels the insurance, shall not thereafter become insured unless the employee furnishes evidence of insurability satisfactory to the insurer, at the employee's own expense or obtains coverage subject to contractual waiting periods. The method to be used shall be specified in the health insurance contract.

**\*b0471/5.37\* SECTION 765kb.** 40.51 (6) of the statutes is renumbered 40.51 (6) (a) and amended to read:

40.51 (6) (a) This state shall offer to all of its eligible employees described in subs. (10), (10m), and (16) at least 2 insured or uninsured health care coverage plans providing substantially equivalent hospital and medical benefits, including a health maintenance organization or a preferred provider plan, if those health care plans are ~~determined by the group insurance board to be available in the area of the place of employment and are approved by the group insurance board.~~ The group insurance board shall place each of the plans into one of 3 tiers established in accordance with

standards adopted by the group insurance board. The tiers shall be separated according to the employee's share of premium costs.

**\*b0471/5.37\* SECTION 765Lb.** 40.51 (6) (b) of the statutes is created to read:

40.51 (6) (b) The state may offer to its employees coverage for health care benefits not provided to the employees under the Healthy Wisconsin Plan under ch. 260.

**\*b0471/5.37\* SECTION 765nb.** 40.51 (7) of the statutes is amended to read:

40.51 (7) Any employer, other than the state, may offer to all of its employees ~~a health care coverage plan~~ coverage for health care benefits not provided to the employees under the Healthy Wisconsin Plan under ch. 260 through a program offered by the group insurance board. Notwithstanding sub. (2) and ss. 40.05 (4) and 40.52 (1), the department may by rule establish different eligibility standards or contribution requirements for such employees and employers and may by rule limit the categories of employers, other than the state, which may be included as participating employers under this subchapter.

**\*b0471/5.37\* SECTION 765pb.** 40.51 (8) of the statutes is amended to read:

40.51 (8) Every health care coverage plan offered by the state under sub. (6) (a) shall comply with ss. 631.89, 631.90, 631.93 (2), 631.95, 632.72 (2), 632.746 (1) to (8) and (10), 632.747, 632.748, 632.83, 632.835, 632.85, 632.853, 632.855, 632.87 (3) to (6), 632.895 (5m) and (8) to (14), and 632.896.

**\*b0471/5.37\* SECTION 765qb.** 40.51 (8m) of the statutes is amended to read:

40.51 (8m) Every health care coverage plan offered by the group insurance board under ~~sub. subs. (6) (b) and (7)~~ shall comply with ss. 631.89, 631.90, 631.93 (2), 631.95, 632.72 (2), 632.746 (1) to (8) and (10), 632.747, 632.748, 632.83, 632.835, 632.85, 632.853, 632.855, and 632.895 (11) to (14) 632.87 (3) to (6).

**\*b0471/5.37\* SECTION 765rb.** 40.52 (1) (intro.) of the statutes is amended to read:

40.52 (1) (intro.) The group insurance board shall establish by contract a standard health insurance plan in which all insured employees shall participate except as otherwise provided in this chapter. The Except as provided in sub. (1m), the standard plan shall provide:

**\*b0471/5.37\* SECTION 765sb.** 40.52 (1m) of the statutes is created to read:

40.52 (1m) The standard health insurance plan described under sub. (1) shall not provide employees any health care coverage that the employees receive under the Healthy Wisconsin Plan under ch. 260.

**\*b0471/5.37\* SECTION 765tb.** 40.52 (2) of the statutes is amended to read:

40.52 (2) Health insurance benefits under this subchapter shall be integrated, with exceptions determined appropriate by the group insurance board, with benefits under federal plans for hospital and health care for the aged and disabled and with benefits provided under the Healthy Wisconsin Plan under ch. 260. Exclusions and limitations with respect to benefits and different rates may be established for persons eligible under federal plans for hospital and health care for the aged and disabled in recognition of the utilization by persons within the age limits eligible under the federal program and for employees who receive benefits under the Healthy Wisconsin Plan under ch. 260. The plan may include special provisions for spouses and other dependents covered under a plan established under this subchapter where one spouse is eligible under federal plans for hospital and health care for the aged or under the Healthy Wisconsin Plan under ch. 260 but the others are not eligible because of age or other reasons. As part of the integration, the department may, out

of premiums collected under s. 40.05 (4), pay premiums for the federal health insurance.

**\*b0471/5.37\* SECTION 765ub.** 40.98 (2) (a) 1. of the statutes is amended to read:

40.98 (2) (a) 1. The department shall design an actuarially sound health care coverage program for employers that includes more than one group health care coverage plan and that provides coverage beginning not later than January 1, 2001. The health care coverage program shall be known as the “Private Employer Health Care Purchasing Alliance”. In designing the health care coverage program, the department shall consult with the office of the commissioner of insurance and may consult with the departments of commerce and health and family services. The health care coverage program may not be implemented until it is approved by the board. The health care coverage program shall not provide employees any health care coverage that the employees receive under the Healthy Wisconsin Plan under ch. 260.”

**\*b0488/P1.17\* 310.** Page 485, line 17: after that line insert:

**\*b0488/P1.17\* “SECTION 767.** 40.05 (4) (bw) of the statutes is amended to read:

40.05 (4) (bw) On converting accumulated unused sick leave to credits for the payment of health insurance premiums under par. (b), the department shall add additional credits, calculated in the same manner as are credits under par. (b), that are based on a state employee’s accumulated sabbatical leave or earned vacation leave from the state employee’s last year of service prior to retirement, or both. The department shall apply the credits awarded under this paragraph for the payment of health insurance premiums only after the credits awarded under par. (b) are

exhausted. This paragraph applies only to state employees who are eligible for accumulated unused sick leave conversion under par. (b) and who are entitled to the benefits under this paragraph pursuant to a collective bargaining agreement under subch. V or VI of ch. 111.

**\*b0488/P1.17\* SECTION 768.** 40.05 (4g) (a) 4. of the statutes is amended to read:

40.05 (4g) (a) 4. Has received a military leave of absence under s. 230.32 (3) (a) or 230.35 (3), under a collective bargaining agreement under subch. V or VI of ch. 111 or under rules promulgated by the director of the office of state employment relations or is eligible for reemployment with the state under s. 21.79 after completion of his or her service in the U.S. armed forces.

**\*b0488/P1.17\* SECTION 769.** 40.05 (5) (intro.) of the statutes is amended to read:

40.05 (5) INCOME CONTINUATION INSURANCE PREMIUMS. (intro.) For the income continuation insurance provided under subch. V the employee shall pay the amount remaining after the employer has contributed the following or, if different, the amount determined under a collective bargaining agreement under subch. I ~~or~~ V or VI of ch. 111 or s. 230.12 or 233.10:

**\*b0488/P1.17\* SECTION 770.** 40.05 (5) (b) 4. of the statutes is amended to read:

40.05 (5) (b) 4. The accrual and crediting of sick leave shall be determined in accordance with ss. 13.121 (4), 36.30, 230.35 (2), 233.10 and 757.02 (5) and subch. I ~~or~~ V or VI of ch. 111.

**\*b0488/P1.17\* SECTION 771.** 40.05 (6) (a) of the statutes is amended to read:

40.05 (6) (a) Except as otherwise provided in accordance with a collective bargaining agreement under subch. I ~~or~~ V or VI of ch. 111 or s. 230.12 or 233.10, each

insured employee under the age of 70 and annuitant under the age of 65 shall pay for group life insurance coverage a sum, approved by the group insurance board, which shall not exceed 60 cents monthly for each \$1,000 of group life insurance, based upon the last amount of insurance in force during the month for which earnings are paid. The equivalent premium may be fixed by the group insurance board if the annual compensation is paid in other than 12 monthly installments.

**\*b0488/P1.17\* SECTION 778.** 40.62 (2) of the statutes is amended to read:

40.62 (2) Sick leave accumulation shall be determined in accordance with rules of the department, any collective bargaining agreement under subch. I ~~or~~ V, or VI of ch. 111, and ss. 13.121 (4), 36.30, 230.35 (2), 233.10, 757.02 (5) and 978.12 (3).

**\*b0488/P1.17\* SECTION 779.** 40.80 (3) of the statutes is amended to read:

40.80 (3) Any action taken under this section shall apply to employees covered by a collective bargaining agreement under subch. V or VI of ch. 111.

**\*b0488/P1.17\* SECTION 780.** 40.81 (3) of the statutes is amended to read:

40.81 (3) Any action taken under this section shall apply to employees covered by a collective bargaining agreement under subch. IV ~~or~~ V, or VI of ch. 111.

**\*b0488/P1.17\* SECTION 781.** 40.95 (1) (a) 2. of the statutes is amended to read:

40.95 (1) (a) 2. The employee has his or her compensation established in a collective bargaining agreement under subch. V or VI of ch. 111.”.

**\*b0457/1.1\* 311.** Page 487, line 23: delete “purchases are approved by” and substitute “school board consults with”.

**\*b0457/1.2\* 312.** Page 487, line 24: after “libraries” insert “and the computers and software are housed in the school library”.

**\*b0384/1.1\* 313.** Page 532, line 13: after that line insert:



**\*b0384/1.1\*** “**SECTION 929.** 46.277 (5) (g) 3. of the statutes is amended to read:

46.277 (5) (g) 3. If it is likely that the number of individuals for whom an enhanced reimbursement for services is provided under subd. 1. and who are diverted from imminent entry into nursing homes will exceed 150, the department may submit a request to the ~~joint committee on finance~~ secretary of administration for approval to provide enhanced reimbursement for services provided under subd. 1. for diversion from imminent entry into nursing homes for a number of individuals in excess of 150. ~~Notwithstanding s. 13.101 (3) (a), the committee is not required to find that an emergency exists. If the cochairpersons of the committee do not notify the secretary within 14 working days after the date of the department’s submittal that the committee intends to schedule a meeting to review the request, approval of the request is granted. If, within 14 working days after the date of the department’s request submittal, the cochairpersons of the committee notify the secretary that the committee intends to schedule a meeting to review the request, the request may be granted only as approved by the committee.”.~~

**\*b0374/1.1\* 314.** Page 538, line 11: after that line insert:

**\*b0374/1.1\*** “**SECTION 954mb.** 46.281 (1n) (f) of the statutes is created to read:

46.281 (1n) (f) From the appropriation under s. 20.435 (7) (b), provide \$75,000 annually to Grant County to provide, with respect to issues concerning family care benefits, liaison services between the county and a managed care organization and advocacy services on behalf of the county.”.

**\*b0531/1.2\* 315.** Page 574, line 22: after that line insert:

**\*b0531/1.2\*** “**SECTION 1116e.** 46.48 (18) of the statutes is created to read:

46.48 (18) OUTREACH SERVICES. The department shall distribute \$84,000 in each fiscal year as grants to community organizations in southeastern and south central Wisconsin to provide outreach services relating to health, mental health, housing, assisted living, domestic violence, and other services.”.

**\*b0513/1.3\* 316.** Page 658, line 8: after that line insert:

**\*b0513/1.3\* “SECTION 1413c.** 49.148 (1m) (title) of the statutes is amended to read:

49.148 (1m) (title) CUSTODIAL PARENT OF INFANT; UNMARRIED, PREGNANT WOMAN.

**\*b0513/1.3\* SECTION 1414c.** 49.148 (1m) (a) (intro.) of the statutes is created to read:

49.148 (1m) (a) (intro.) Any of the following may receive a monthly grant of \$673:

**\*b0513/1.3\* SECTION 1415c.** 49.148 (1m) (a) of the statutes is renumbered 49.148 (1m) (a) 1. and amended to read:

49.148 (1m) (a) 1. ~~A~~ An individual who meets the eligibility requirements under s. 49.145 (2) and (3) and who is a custodial parent of a child who is 12 weeks old or less and who meets the eligibility requirements under s. 49.145 (2) and (3) may receive a monthly grant of \$673, unless another adult member of the custodial parent’s Wisconsin works Works group is participating in, or is eligible to participate in, a Wisconsin works Works employment position or is employed in unsubsidized employment, as defined in s. 49.147 (1) (c).

(bm) A Wisconsin works Works agency may not require a participant under this subsection to participate in any employment positions.

(c) 1. Receipt of a grant under this subsection by a participant under par. (a) 1. does not constitute participation in a Wisconsin ~~works~~ Works employment position ~~for purposes of the time limits under s. 49.145 (2) (n) or 49.147 (3) (c), (4) (b) or (5) (b) 2.~~ if the child is born to the participant not more than 10 months after the date that the participant was first determined to be eligible for assistance under s. 49.19 or for a Wisconsin ~~works~~ Works employment position.

**\*b0513/1.3\* SECTION 1416c.** 49.148 (1m) (a) 2. of the statutes is created to read:

49.148 **(1m)** (a) 2. An unmarried woman who would be eligible under s. 49.145 except that she is not a custodial parent of a dependent child and who is in the 3rd trimester of a pregnancy that is medically verified and that is shown by medical documentation to be at risk and to render the woman unable to participate in the workforce.

**\*b0513/1.3\* SECTION 1417c.** 49.148 (1m) (b) of the statutes is renumbered 49.148 (1m) (c) 2. and amended to read:

49.148 **(1m)** (c) 2. Receipt of a grant under this subsection by a participant under par. (a) 1. constitutes participation in a Wisconsin ~~works~~ Works employment position ~~for purposes of the time limits under ss. 49.145 (2) (n) and 49.147 (3) (c), (4) (b) or (5) (b) 2.~~ if the child is born to the participant more than 10 months after the date that the participant was first determined to be eligible for assistance under s. 49.19 or for a Wisconsin ~~works~~ Works employment position unless the child was conceived as a result of a sexual assault in violation of s. 940.225 (1), (2), or (3) in which the mother did not indicate a freely given agreement to have sexual intercourse or of incest in violation of s. 944.06 or 948.06 and that incest or sexual assault has been reported to a physician and to law enforcement authorities.

**\*b0513/1.3\* SECTION 1418c.** 49.148 (1m) (c) (intro.) of the statutes is created to read:

49.148 (1m) (c) (intro.) For purposes of the time limits under ss. 49.145 (2) (n) and 49.147 (3) (c), (4) (b), and (5) (b) 2., all of the following apply:

**\*b0513/1.3\* SECTION 1419c.** 49.148 (1m) (c) 3. of the statutes is created to read:

49.148 (1m) (c) 3. Receipt of a grant under this subsection by a participant under par. (a) 2. does not constitute participation in a Wisconsin Works employment position.”.

**\*b0513/1.4\* 317.** Page 661, line 6: after that line insert:

**\*b0513/1.4\* “SECTION 1433c.** 49.159 (4) of the statutes is amended to read:

49.159 (4) PREGNANT WOMEN. A pregnant woman whose pregnancy is medically verified, who would be eligible under s. 49.145 except that she is not a custodial parent of a dependent child, and who does not satisfy the requirements under s. 49.148 (1m) (a) 2. is eligible for employment training and job search assistance services provided by the Wisconsin ~~wor~~ks Works agency.”.

**\*b0513/1.5\* 318.** Page 661, line 23: delete “\$44,068,500” and substitute “\$44,390,300”.

**\*b0513/1.6\* 319.** Page 661, line 24: delete “\$43,392,200” and substitute “\$44,035,900”.

**\*b0376/2.2\* 320.** Page 700, line 24: after that line insert:

**\*b0376/2.2\* “SECTION 1530h.** 49.45 (6m) (ar) 1. a. of the statutes is amended to read:

49.45 (6m) (ar) 1. a. The department shall establish standards for payment of allowable direct care costs under par. (am) 1. bm., for facilities that do not primarily

serve the developmentally disabled, that take into account direct care costs for a sample of all of those facilities in this state and separate standards for payment of allowable direct care costs, for facilities that primarily serve the developmentally disabled, that take into account direct care costs for a sample of all of those facilities in this state. The standards shall be adjusted by the department for regional labor cost variations. The department shall treat as a single labor region the counties of Dane, Iowa, Columbia, and Sauk, and Rock and shall adjust payment so that the direct care cost targets of facilities in Dane, Iowa, Columbia, and Sauk counties are not reduced as a result of including facilities in Rock County in this labor region. For facilities in Douglas, Pierce, and St. Croix counties, the department shall perform the adjustment by use of the wage index that is used by the federal department of health and human services for hospital reimbursement under 42 USC 1395 to 1395ggg.”.

**\*b0449/1.1\* 321.** Page 710, line 8: delete “work together to develop” and substitute “approve”.

**\*b0449/1.2\* 322.** Page 710, line 13: delete “developed” and substitute “approved”.

**\*b0471/5.38\* 323.** Page 750, line 18: after that line insert:

**\*b0471/5.38\* “SECTION 1608h.** 49.473 (2) (c) of the statutes is amended to read:  
49.473 (2) (c) The woman is not covered under the Healthy Wisconsin Plan under ch. 260 and is not eligible for any other health care coverage that qualifies as creditable coverage in 42 USC 300gg (c), excluding the coverage specified in 42 USC 300gg (c) (1) (F).”.

**\*b0471/5.39\* 324.** Page 762, line 18: after that line insert:

**\*b0471/5.39\* “SECTION 1641r.** 49.665 (5) (ag) of the statutes is repealed.”.

**\*b0471/5.40\* 325.** Page 763, line 2: after that line insert:

**\*b0471/5.40\* “SECTION 1645d.** 49.68 (3) (d) 1. of the statutes is amended to read:

49.68 (3) (d) 1. No aid may be granted under this subsection ~~unless if~~ the recipient has ~~no other form of~~ aid available from the federal ~~medicare~~ Medicare program, from private health, accident, sickness, medical, ~~and or~~ hospital insurance coverage, or from other health care coverage specified by rule under s. 49.687 (1m), excluding the Healthy Wisconsin Plan under ch. 260. If insufficient aid is available from other sources and if the recipient has paid an amount equal to the annual ~~medicare~~ Medicare deductible amount specified in subd. 2., the state shall pay the difference in cost to a qualified recipient. If at any time sufficient federal or private insurance aid or other health care coverage becomes available during the treatment period, state aid under this subsection shall be terminated or appropriately reduced. Any patient who is eligible for the federal ~~medicare~~ Medicare program shall register and pay the premium for ~~medicare~~ Medicare medical insurance coverage where permitted, and shall pay an amount equal to the annual ~~medicare~~ Medicare deductible amounts required under 42 USC 1395e and 1395L (b), prior to becoming eligible for state aid under this subsection.

**\*b0471/5.40\* SECTION 1645h.** 49.683 (3) of the statutes is amended to read:

49.683 (3) No payment shall be made under this section for any portion of medical care costs that are payable under any state, federal, or other health care coverage program, including a health care coverage program specified by rule under s. 49.687 (1m), or under any grant, contract, or other contractual arrangement, but excluding the Healthy Wisconsin Plan under ch. 260.

**\*b0471/5.40\* SECTION 1645p.** 49.685 (6) (b) of the statutes is amended to read:

49.685 **(6)** (b) Reimbursement shall not be made under this section for any blood products or supplies that are not purchased from or provided by a comprehensive hemophilia treatment center, or a source approved by the treatment center. Reimbursement shall not be made under this section for any portion of the costs of blood products or supplies that are payable under any other state, federal, or other health care coverage program under which the person is covered, including a health care coverage program specified by rule under s. 49.687 (1m), or under any grant, contract, or other contractual arrangement, but excluding the Healthy Wisconsin Plan under ch. 260.”.

**\*b0471/5.41\* 326.** Page 763, line 21: after that line insert:

**\*b0471/5.41\* “SECTION 1649r.** 49.687 (1m) (d) of the statutes is created to read:

49.687 **(1m)** (d) Notwithstanding the health care programs for which a person must apply that are specified by the department by rule under pars. (a) and (b), a person is not ineligible to receive benefits under s. 49.68, 49.683, or 49.685 by reason of being eligible for or covered under the Healthy Wisconsin Plan under ch. 260.”.

**\*b0369/1.2\* 327.** Page 787, line 21: after that line insert:

**\*b0369/1.2\* “SECTION 1720k.** 49.857 (1) (d) 10. of the statutes is amended to read:

49.857 **(1)** (d) 10. A certificate issued under s. 103.275, 103.34, 103.91, or 103.92.”.

**\*b0382/3.9\* 328.** Page 814, line 20: after that line insert:

**\*b0382/3.9\* “SECTION 1824b.** 51.437 (14) (i) of the statutes is created to read:

51.437 (14) (i) Ensure that the matching–funds requirement for the state developmental disabilities councils grant, as received from the federal department of health and human services, is met by reporting to the federal department of health and human services expenditures made for the provision of developmental disabilities services under the basic county allocation distributed under s. 46.40 (2).”.

**\*b0471/5.42\* 329.** Page 823, line 9: after that line insert:

**\*b0471/5.42\* “SECTION 1846h.** 59.52 (11) (c) of the statutes is amended to read:

59.52 (11) (c) *Employee insurance.* Provide for individual or group hospital, surgical and life insurance for county officers and employees and for payment of premiums for county officers and employees. A county may elect to provide health care benefits not provided under the Healthy Wisconsin Plan under ch. 260 to its officers and employees and a county with at least 100 employees may elect to provide health care benefits not provided under the Healthy Wisconsin Plan under ch. 260 on a self–insured basis to its officers and employees. A county and one or more cities, villages, towns, or other counties that together have at least 100 employees may jointly provide health care benefits not provided under the Healthy Wisconsin Plan under ch. 260 to their officers and employees on a self–insured basis. Counties that elect to provide health care benefits not provided under the Healthy Wisconsin Plan under ch. 260 on a self–insured basis to their officers and employees shall be subject to the requirements set forth under s. 120.13 (2) (c) to (e) and (g).”.

**\*b0397/1.1\* 330.** Page 825, line 7: after that line insert:

**\*b0397/1.1\* “SECTION 1850p.** 59.58 (6) (e) 3g. of the statutes is created to read:

59.58 (6) (e) 3g. A study on the feasibility of adding a commuter rail stop and station at points where any proposed commuter rail route would intersect National



Avenue in the city of Milwaukee or Greenfield Avenue in the city of Milwaukee or both.”.

**\*b0398/2.1\* 331.** Page 825, line 7: after that line insert:

**\*b0398/2.1\* “SECTION 1850r.** 59.58 (6) (e) 3m. of the statutes is created to read:  
59.58 (6) (e) 3m. A study on the feasibility of extending any proposed commuter rail project through the 30th Street corridor in the city of Milwaukee to the northern county line of Milwaukee County.”.

**\*b0399/P1.1\* 332.** Page 825, line 7: after that line insert:

**\*b0399/P1.1\* “SECTION 1850g.** 59.58 (6) (cb) of the statutes is created to read:  
59.58 (6) (cb) The authority shall be responsible for sponsoring, developing, constructing, and operating a commuter rail transit system connecting the cities of Kenosha, Racine, and Milwaukee, to be known as the KRM commuter rail link.

**\*b0399/P1.1\* SECTION 1850i.** 59.58 (6) (cr) of the statutes is amended to read:  
59.58 (6) (cr) The authority may hire staff, conduct studies, and expend funds essential to the preparation of the report specified in par. (e) and in furtherance of its responsibility under par. (cb) to develop and construct the KRM commuter rail link.

**\*b0399/P1.1\* SECTION 1850t.** 59.58 (6) (e) 4r. and 6. of the statutes are repealed.

**\*b0399/P1.1\* SECTION 1850u.** 59.58 (6) (f) of the statutes is created to read:  
59.58 (6) (f) 1. The authority may issue bonds, the principal and interest on which are payable exclusively from all or a portion of any revenues received by the authority. The authority may secure its bonds by a pledge of any income or revenues

from any operations, rent, aids, grants, subsidies, contributions, or other source of moneys whatsoever.

2. The authority may issue bonds in an aggregate principal amount not to exceed \$50,000,000, excluding bonds issued to refund outstanding bonds issued under this subdivision, for the purpose of providing funds for the anticipated local funding share required for initiating KRM commuter rail link service.

3. Neither the governing body of the authority nor any person executing the bonds is personally liable on the bonds by reason of the issuance of the bonds.

4. The bonds of the authority are not a debt of the counties that created the authority. Neither these counties nor the state are liable for the payment of the bonds. The bonds of the authority shall be payable only out of funds or properties of the authority. The bonds of the authority shall state the restrictions contained in this subdivision on the face of the bonds.

5. Bonds of the authority shall be authorized by resolution of the authority's governing body. The bonds may be issued under such a resolution or under a trust indenture or other security instrument. The bonds may be issued in one or more series and may be in the form of coupon bonds or registered bonds under s. 67.09. The bonds shall bear the dates, mature at the times, bear interest at the rates, be in the denominations, have the rank or priority, be executed in the manner, be payable in the medium of payment, at the places, and be subject to the terms of redemption, with or without premium, as the resolution, trust indenture, or other security instrument provides. Bonds of the authority are issued for an essential public and governmental purpose and are public instrumentalities and, together with interest and income, are exempt from taxes. The authority may sell the bonds at public or private sales at the price or prices determined by the authority. If a member of the

governing body of the authority whose signature appears on any bonds or coupons ceases to be a member of the governing body of the authority before the delivery of such obligations, the member's signature shall, nevertheless, be valid for all purposes as if the member had remained a member until delivery of the bonds.

6. The authority may issue refunding bonds for the purpose of paying any of its bonds at or prior to maturity or upon acceleration or redemption. The authority may issue refunding bonds at such time prior to the maturity or redemption of the refunded bonds as the authority deems to be in the public interest. The refunding bonds may be issued in sufficient amounts to pay or provide the principal of the bonds being refunded, together with any redemption premium on the bonds, any interest accrued or to accrue to the date of payment of the bonds, the expenses of issue of the refunding bonds, the expenses of redeeming the bonds being refunded, and such reserves for debt service or other capital or current expenses from the proceeds of such refunding bonds as may be required by the resolution, trust indenture, or other security instruments. To the extent applicable, refunding bonds are subject to subd. 5.”.

**\*b0369/1.3\* 333.** Page 827, line 3: after that line insert:

**\*b0369/1.3\* SECTION 1860j.** 60.33 (8p) of the statutes is created to read:

**60.33 (8p)** TRAVELING SALES CREW WORKER PERMITS. Stamp or endorse traveling sales crew worker permits at the request of an employer under s. 103.34 (11) (c).”.

**\*b0471/5.43\* 334.** Page 827, line 3: after that line insert:

**\*b0471/5.43\* SECTION 1858h.** 60.23 (25) of the statutes is amended to read:

60.23 (25) SELF-INSURED HEALTH PLANS. Provide health care benefits not provided under the Healthy Wisconsin Plan under ch. 260 to its officers and employees on a self-insured basis, subject to s. 66.0137 (4).”.

**\*b0369/1.4\* 335.** Page 829, line 12: after that line insert:

**\*b0369/1.4\* “SECTION 1866n.** 61.25 (6p) of the statutes is created to read:

61.25 (6p) To stamp or endorse traveling sales crew worker permits at the request of an employer under s. 103.34 (11) (c).

**\*b0369/1.4\* SECTION 1866w.** 62.09 (11) (kp) of the statutes is created to read:

62.09 (11) (kp) The clerk shall stamp or endorse traveling sales crew worker permits at the request of an employer under s. 103.34 (11) (c).”.

**\*b0404/1.1\* 336.** Page 829, line 14: delete lines 14 to 25.

**\*b0404/1.2\* 337.** Page 830, line 1: delete lines 1 to 15 and substitute:

“62.13 (5) (i) Any person suspended, reduced, suspended and reduced, or removed by the board may appeal from the order of the board to the circuit court by serving written notice of the appeal on the secretary of the board within 10 days after the order is filed. Within 5 days after receiving written notice of the appeal, the board shall certify to the clerk of the circuit court the record of the proceedings, including all documents, testimony and minutes. The action shall then be at issue and shall have precedence over any other cause of a different nature pending in the court, which shall always be open to the trial thereof. The court shall upon application of the accused or of the board fix a date of trial, which shall not be later than 15 days after such application except by agreement. The trial shall be by the court and upon the return of the board, except that the court may require further return or the taking and return of further evidence by the board. The question to be determined by the

court shall be: Upon the evidence is there just cause, as described under par. (em), to sustain the charges against the accused? No costs shall be allowed either party and the clerk's fees shall be paid by the city. If the order of the board is reversed, the accused shall be forthwith reinstated and entitled to pay as though in continuous service. ~~If the order of the board is sustained it shall be final and conclusive.~~”.

**\*b0471/5.44\* 338.** Page 832, line 12: after that line insert:

**\*b0471/5.44\* “SECTION 1873j.** 62.61 of the statutes is renumbered 62.61 (1) (intro.) and amended to read:

62.61 (1) (intro.) The common council of a 1st class city may, by ordinance or resolution, ~~provide~~ do any of the following:

(a) Provide for, including the payment of premiums of, general hospital, surgical and group insurance for ~~both active and~~ retired city officers and city employees and their respective dependents in private companies, ~~or may, by ordinance or resolution, elect.~~

(c) Elect to offer to all of its employees a health care coverage plan through a program offered by the group insurance board under ch. 40. Municipalities ~~which that~~ elect to participate under s. 40.51 (7) are subject to the applicable sections of ch. 40 instead of this section.

**(2)** Contracts for insurance under this section may be entered into for active officers and employees separately from contracts for retired officers and employees. Appropriations may be made for the purpose of financing insurance under this section. Moneys accruing to a fund to finance insurance under this section, by investment or otherwise, may not be diverted for any other purpose than those for which the fund was set up or to defray management expenses of the fund or to

partially pay premiums to reduce costs to the city or to persons covered by the insurance, or both.

**\*b0471/5.44\* SECTION 1873k.** 62.61 (1) (b) of the statutes is created to read:

62.61 (1) (b) Subject to s. 260.37, provide for, including the payment of premiums of, group health insurance for active city officers and city employees and their respective dependents.”.

**\*b0471/5.45\* 339.** Page 832, line 17: after that line insert:

**\*b0471/5.45\* “SECTION 1874h.** 66.0137 (4) of the statutes is amended to read:

66.0137 (4) SELF-INSURED HEALTH PLANS. If a city, including a 1st class city, or a village provides health care benefits not provided under the Healthy Wisconsin Plan under ch. 260 under its home rule power, or if a town provides health care benefits not provided under the Healthy Wisconsin Plan under ch. 260, to its officers and employees on a self-insured basis, the self-insured plan shall comply with ss. 49.493 (3) (d), 631.89, 631.90, 631.93 (2), 632.746 (10) (a) 2. and (b) 2., 632.747 (3), 632.85, 632.853, 632.855, 632.87 (4), (5), and (6), ~~632.895 (9) to (14)~~, 632.896, and 767.513 (4).

**\*b0471/5.45\* SECTION 1874n.** 66.0137 (4m) (b) of the statutes is amended to read:

66.0137 (4m) (b) A political subdivision and one or more other political subdivisions, that together have at least 100 employees, may jointly provide health care benefits not provided under the Healthy Wisconsin Plan under ch. 260 to their officers and employees on a self insured self-insured basis.

**\*b0471/5.45\* SECTION 1874t.** 66.0137 (5) of the statutes is amended to read:

66.0137 (5) HOSPITAL, ACCIDENT, AND LIFE INSURANCE. ~~The~~ Subject to s. 260.37, the state or a local governmental unit may provide for the payment of premiums for ~~hospital, surgical and other~~ health and accident insurance and life insurance for employees and officers and their spouses and dependent children. A local governmental unit may also provide for the payment of premiums for hospital and surgical care for its retired employees. In addition, a local governmental unit may, by ordinance or resolution, elect to offer to all of its employees a health care coverage plan through a program offered by the group insurance board under ch. 40. A local governmental unit that elects to participate under s. 40.51 (7) is subject to the applicable sections of ch. 40 instead of this subsection.”.

**\*b0505/2.1\* 340.** Page 841, line 21: delete the material beginning with that line and ending with page 842, line 18.

**\*b0505/2.2\* 341.** Page 843, line 10: delete the material beginning with that line and ending with page 844, line 14.

**\*b0345/1.1\* 342.** Page 844, line 14: after that line insert:

**\*b0345/1.1\* “SECTION 1932s.** 70.11 (39) of the statutes is amended to read:

70.11 (39) COMPUTERS. If the owner of the property fulfills the requirements under s. 70.35, mainframe computers, minicomputers, personal computers, networked personal computers, servers, terminals, monitors, disk drives, electronic peripheral equipment, tape drives, printers, basic operational programs, systems software, and prewritten software. The exemption under this subsection does not apply to automatic teller machines, custom software, fax machines, copiers, equipment with embedded computerized components or telephone systems, including equipment that is used to provide telecommunications services, as defined

in s. 76.80 (3). For the purposes of s. 79.095, the exemption under this subsection does not apply to property that is otherwise exempt under this chapter.”.

**\*b0378/3.1\* 343.** Page 844, line 14: after that line insert:

**\*b0378/3.1\* “SECTION 1932r.** 70.11 (21) (a) of the statutes is renumbered 70.11 (21) (am) and amended to read:

70.11 **(21)** (am) All property purchased or constructed as a waste treatment facility used for the treatment of exclusively and directly to remove, store, or cause a physical or chemical change in industrial wastes, as defined in s. 281.01 (5), waste or air contaminants, as defined in s. 285.01 (1), but not for other wastes, as defined in s. 281.01 (7), for the purpose of abating or eliminating pollution of surface waters, the air, or waters of the state if that property is not used to grow agricultural products for sale and, if the property’s owner is taxed under ch. 76, if the property is approved by the department of revenue. ~~For the purposes of this subsection, “industrial waste” also includes wood chips, sawdust, and other wood residue from the paper and wood products manufacturing process that can be used as fuel and would otherwise be considered superfluous, discarded, or fugitive material.~~ The department of natural resources and department of health and family services shall make recommendations upon request to the department of revenue regarding such property. All property purchased or upon which construction began prior to July 31, 1975, shall be subject to s. 70.11 (21), 1973 stats.

**\*b0378/3.1\* SECTION 1932t.** 70.11 (21) (ab) of the statutes is created to read:

70.11 **(21)** (ab) In this subsection:

1. “Air contaminants” has the meaning given in s. 285.01 (1).



2. “Industrial waste” means waste resulting from any process of industry, trade, or business, or the development of any natural resource, that has no monetary or market value, except as provided in subd. 3. b., and that would otherwise be considered superfluous, discarded, or fugitive material. “Industrial waste” does not include other wastes, as defined in s. 281.01 (7).

3. “Used exclusively” means to the exclusion of all other uses except any of the following:

a. For other use not exceeding 5 percent of total use.

b. To produce heat or steam for a manufacturing process, if the fuel consists of either 95 percent or more industrial waste that would otherwise be considered superfluous, discarded, or fugitive material or 50 percent or more of wood chips, sawdust, or other wood residue from the paper and wood products manufacturing process, if the wood chips, sawdust, or other wood residue would otherwise be considered superfluous, discarded, or fugitive material.”.

**\*b0471/5.46\* 344.** Page 844, line 14: after that line insert:

**\*b0471/5.46\* “SECTION 1934c.** 70.11 (41p) of the statutes is created to read:

70.11 **(41p)** HEALTHY WISCONSIN AUTHORITY. All property owned by the Healthy Wisconsin Authority, provided that use of the property is primarily related to the purposes of the authority.”.

**\*b0346/1.1\* 345.** Page 845, line 6: after that line insert:

**\*b0346/1.1\* “SECTION 1935p.** 70.32 (2) (c) 1g. of the statutes is amended to read:

70.32 **(2)** (c) 1g. “Agricultural land” means land, exclusive of buildings and improvements and the land necessary for their location and convenience, that is

devoted primarily to agricultural use, as defined by rule, not including any land that is platted and zoned for residential, commercial, or industrial use.”.

**\*b0503/4.7\* 346.** Page 875, line 2: after that line insert:

**\*b0503/4.7\* “SECTION 1959c.** 71.05 (6) (b) 44. of the statutes is created to read:  
71.05 (6) (b) 44. For taxable years beginning after December 31, 2006, the amount of any incentive payment received by an individual under s. 23.33 (5r) in the taxable year to which the claim relates.”.

**\*b0462/1.1\* 347.** Page 881, line 10: delete lines 10 to 13.

**\*b0462/1.2\* 348.** Page 881, line 22: delete lines 22 to 25.

**\*b0462/1.3\* 349.** Page 882, line 1: delete lines 1 to 4.

**\*b0343/1.1\* 350.** Page 889, line 1: delete “(2) (b) and” and substitute “~~(2) (b)~~ and”.

**\*b0343/1.2\* 351.** Page 891, line 10: delete “(2) (b) and” and substitute “~~(2) (b)~~ and”.

**\*b0343/1.3\* 352.** Page 894, line 6: delete “(2) (b) and” and substitute “~~(2) (b)~~ and”.

**\*b0343/1.4\* 353.** Page 896, line 21: delete “(2) (b) and” and substitute “~~(2) (b)~~ and”.

**\*b0343/1.5\* 354.** Page 899, line 9: delete “(2) (b) and” and substitute “~~(2) (b)~~ and”.

**\*b0343/1.6\* 355.** Page 901, line 19: delete “(2) (b) and”.

**\*b0343/1.7\* 356.** Page 903, line 21: delete “(2) (b) and”.

**\*b0343/1.8\* 357.** Page 922, line 2: after that line insert:

**\*b0343/1.8\* SECTION 2017d.** 71.22 (9a) of the statutes is created to read:

71.22 (9a) “Qualified real estate investment trust” means a real estate investment trust, except a real estate investment trust of which more than 50 percent of the voting power or value of the beneficial interests or shares are owned or controlled, directly or indirectly, by a single entity that is subject to sections 301 to 385 of the Internal Revenue Code, that is not exempt under s. 71.26 (1), and that is not a real estate investment trust or a qualified real estate trust subsidiary under section 856 (i) of the Internal Revenue Code.

**\*b0343/1.8\* SECTION 2017e.** 71.22 (9b) of the statutes is created to read:

71.22 (9b) “Qualified regulated investment company” means a regulated investment company, except a regulated investment company of which more than 50 percent of the voting power or value of the beneficial interests or shares are owned or controlled, directly or indirectly, by a single entity that is subject to sections 301 to 385 of the Internal Revenue Code, that is not exempt under s. 71.26 (1), and that is not a regulated investment company.

**\*b0343/1.8\* SECTION 2017f.** 71.22 (9c) of the statutes is created to read:

71.22 (9c) “Real estate investment trust” means a real estate investment trust under section 856 of the Internal Revenue Code.

**\*b0343/1.8\* SECTION 2017g.** 71.22 (9d) of the statutes is created to read:

71.22 (9d) “Real estate mortgage investment conduit” means a real estate mortgage investment conduit under section 860D of the Internal Revenue Code.

**\*b0343/1.8\* SECTION 2017h.** 71.22 (9e) of the statutes is created to read:

71.22 (9e) “Regulated investment company” means a regulated investment company under section 851 of the Internal Revenue Code.”.

**\*b0510/4.1\* 358.** Page 922, line 2: after that line insert:

**\*b0510/4.1\* “SECTION 2017d.** 71.22 (9) of the statutes is amended to read:

71.22 (9) “Person” includes corporations, unless the context requires otherwise. “Person” may include, as determined by the department, any individual, partnership, general partner of a partnership, limited liability company, registered limited liability partnership, foreign limited liability partnership, syndicate, estate, trust, trustee in bankruptcy, receiver, executor, administrator, assignee, or organization.”.

**\*b0510/4.2\* 359.** Page 922, line 19: after that line insert:

**\*b0510/4.2\* “SECTION 2018g.** 71.255 of the statutes is created to read:

**71.255 Combined reporting. (1) DEFINITIONS.** In this section:

(a) “Combined group” means the group of all persons whose income and apportionment factors are considered under sub. (2) to determine the taxpayer’s share of the net business income or loss that is apportionable to this state.

(b) “Combined report” means a return under s. 71.24 that is filed on a form prescribed by the department that specifies the income, credits, and tax of each taxpayer member of a commonly controlled group operating as a unitary business.

(c) “Commonly controlled group” means any of the following, but does not include an insurer that is exempt from taxation under s. 71.45 (1):

1. A parent corporation and any corporation or chain of corporations that are connected to the parent corporation by direct or indirect ownership by the parent corporation if the parent corporation owns stock representing more than 50 percent of the voting power of at least one of the connected corporations or if the parent corporation or any of the connected corporations owns stock that cumulatively

represents more than 50 percent of the voting power of each of the connected corporations.

2. Any 2 or more corporations if a common owner, regardless of whether or not the owner is a corporation, directly or indirectly owns stock representing more than 50 percent of the voting power of the corporations or the connected corporations.

3. Any 2 or more corporations if stock representing more than 50 percent of the voting power in each corporation are interests that cannot be separately transferred.

4. Any 2 or more corporations if stock representing more than 50 percent of the voting power in each corporation is directly owned by, or for the benefit of, family members. In this subdivision, “family member” means an individual related by blood, marriage, or adoption within the 2nd degree of kinship as computed under s. 852.03 (2), 1995 stats., or the spouse of such an individual.

(d) “Corporation” means a corporation, as defined in s. 71.22 (1k), that, regardless of where the corporation is located, would be subject to the taxes imposed under this chapter, if the corporation were doing business in this state. For purposes of this section, the business conducted by a pass-through entity that is directly or indirectly held by a corporation is considered the corporation’s business proportionate to the corporation’s distributive share of the pass-through entity’s income. “Corporation” does not include a tax-option corporation.

(e) “Department” means the department of revenue.

(f) “Internal Revenue Code” means the Internal Revenue Code as defined in s. 71.22 (4) and (4m), including any provision of a federal tax treaty that expressly applies to the states of the United States, but not including any other application of a federal tax treaty.

(g) “Pass-through entity” means a general or limited partnership, any organization that is treated as a partnership for purposes of this chapter, a real estate investment trust, a regulated investment company, a real estate mortgage investment conduit, a financial asset securitization investment trust, a trust, or an estate.

(h) “Tax haven” means a jurisdiction that, for any taxable year, is identified by the organization for economic cooperation and development as a tax haven or as having a harmful, preferential tax regime or has no, or a nominal, effective tax on income and all of the following apply:

1. The jurisdiction has laws or practices that prevent the effective exchange of information, for tax purposes, with other governments on taxpayers benefiting from the tax regime.

2. The details of the legislative, legal, or administrative provisions of the jurisdiction’s tax regime are not publicly available and apparent or are not consistently applied to similarly situated taxpayers or the information needed by tax authorities to determine a taxpayer’s correct tax liability, including accounting records and underlying documentation, is not adequately available.

3. The jurisdiction facilitates the establishment of foreign-owned entities without requiring a local substantive presence or prohibits such entities from having any commercial impact on the local economy.

4. The tax regime explicitly or implicitly excludes the jurisdiction’s resident taxpayers from taking advantage of the tax regime’s benefits or prohibits enterprises that benefit from the regime from operating in the jurisdiction’s domestic market.

5. The jurisdiction has created a tax regime that is favorable for tax avoidance, based upon an overall assessment of relevant factors, including whether the

jurisdiction has a significant untaxed offshore financial or other services sector relative to its overall economy.

(i) “Taxpayer member” means a corporation that is subject to tax under s. 71.23 (1) or (2) and that is a member of a combined group.

(j) “Unitary business” means a single economic enterprise that consists of separate parts of a single business entity or of a commonly controlled group of business entities that are sufficiently interdependent, integrated, and interrelated by their activities so as to provide a synergy and a mutual benefit that produces a sharing or exchange of value among them and a significant flow of value to the separate parts. For purposes of this section, 2 or more business entities are considered a unitary business if the entities have unity of ownership, operation, and use, as indicated by centralized management or a centralized executive force; centralized purchasing, advertising, or accounting; intercorporate sales or leases; intercorporate services; intercorporate debts; intercorporate use of proprietary materials; interlocking directorates; or interlocking corporate officers. Any business conducted by a pass-through entity that is owned directly or indirectly by a corporation is considered conducted by the corporation, to the extent of the corporation’s distributive share of the pass-through entity’s income, regardless of the percentage of the corporation’s ownership interest. A business conducted directly or indirectly by one corporation is unitary with that portion of a business conducted by another corporation through its direct or indirect interest in a pass-through entity, if the corporations are sufficiently interdependent, integrated, and interrelated by their activities so as to provide a synergy and a mutual benefit that produces a sharing or exchange of value among them and a significant flow of

value to the separate parts and the two corporations are members of the same commonly controlled group.

**(2) CORPORATIONS REQUIRED TO USE COMBINED REPORTING.** (a) A corporation engaged in a unitary business with any other corporation shall file a combined report that includes the income, determined under sub. (3), and apportionment factor, determined under sub. (5) and s. 71.25, of the following members of the unitary business:

1. Any member incorporated in the United States, including the District of Columbia and any territory or possession of the United States, or formed under the laws of any state, the District of Columbia, or any territory or possession of the United States.

2. Any member, regardless of where the entity is incorporated or formed, if the average of the following ratios is 20 percent or more:

a. The value of the member's real property and tangible personal property located in the United States, including the District of Columbia and any territory or possession of the United States, not including property that is used to produce nonapportionable income, divided by the value of all of the member's real property and tangible personal property, not including property that is used to produce nonapportionable income. For purposes of this subd. 2. a., the value of property that the member rents is the net annual rental amount for the property, multiplied by 8.

b. The amount of the member's payroll that is paid in the United States, including the District of Columbia and any territory or possession of the United States, divided by the amount of the member's total payroll. For purposes of this subd. 2. b., payroll includes compensation paid to employees, but does not include payroll used to produce nonapportionable income. The payroll paid in the United



States, including the District of Columbia and any territory or possession of the United States, shall be determined in the same manner as payroll is determined for this state under s. 71.25 (8) (b) 1. to 5.

c. The member's sales in the United States, including the District of Columbia and any territory or possession of the United States, divided by the member's total sales. For purposes of this subd. 2. c., sales include items identified in s. 71.25 (9) (e), but not items identified in s. 71.25 (9) (f), and the situs of a sale shall be determined in the same manner as for state sales in s. 71.25 (9) (b), (d), (df), and (dh), not including s. 71.25 (9) (b) 2m. and 3., (c), (df) 3., and (dh) 4.

3. Any member that is a domestic international sales corporation as described in sections 991 to 994 of the Internal Revenue Code, a foreign sales corporation as described in sections 921 to 927 of the Internal Revenue Code, or an export trade corporation as described in sections 970 to 971 of the Internal Revenue Code.

4. Any member that is a controlled foreign corporation as defined in section 957 of the Internal Revenue Code, to the extent of the member's income that is defined in section 952 of of the Internal Revenue Code, including any lower-tier subsidiary's distribution of such income that was previously taxed, determined without regard to federal treaties, and the apportionment factors related to that income. For purposes of this subdivision, any item of income received by a controlled foreign corporation is excluded if the income was subject to an income tax imposed by a foreign country at an effective tax rate greater than 90 percent of the maximum tax rate specified in section 11 of the Internal Revenue Code.

5. Any member that earns more than 20 percent of its income, directly or indirectly, from intangible property or service-related activities that are deductible

against the business income of other members of the combined group, to the extent of that income and the apportionment factors related to that income.

6. Any member that is doing business in a tax haven, if the member is engaged in an activity that is sufficient for that tax haven jurisdiction to impose a tax under federal law. If the member's business activity in a tax haven is entirely outside the scope of the laws and practices that cause the jurisdiction to be a tax haven, the member's business activity is not considered to be conducted in a tax haven for purposes of this section.

7. Any member not described in subs. 1. to 6., to the extent that its income is derived from or attributable to sources within the United States, including the District of Columbia and any territory or possession of the United States, as determined under the Internal Revenue Code and by its apportionment factors related to that income.

(b) The department may require that a combined report filed under this section include the income and associated apportionment factors of any persons not described under par. (a) that are members of a unitary business to reflect the proper apportionment of income of the entire unitary business, including persons that are not, or would not be, subject to the taxes imposed under this chapter if doing business in this state.

**(3) COMPONENTS OF INCOME SUBJECT TO TAX.** Each taxpayer member is responsible for the tax imposed under this chapter based on its taxable income or loss apportioned or allocated to this state, including:

(a) Its share of any business income apportionable to this state of each of the combined groups of which it is a member, as determined under subs. (4) and (5).

(b) Its share of any business income apportionable to this state of a distinct business activity conducted in and outside this state wholly by the taxpayer member, as determined under s. 71.25.

(c) Its income from a business conducted wholly by the taxpayer member entirely in this state.

(d) Its income sourced to this state from the sale or exchange of capital or assets and from involuntary conversions, as determined under sub. (4) (a) 8.

(e) Its nonbusiness income or loss allocable to this state.

(f) Its income or loss allocated or apportioned in an earlier year that is state source income during the income year, other than a net business loss carry-forward.

(g) Its net business loss carry-forward. If the taxable income computed under this subsection and subs. (4) and (5) results in a loss for a taxpayer member of the combined group, the taxpayer member has a net business loss, subject to the net business loss limitations and carry-forward provisions in s. 71.26 (4). The business loss is applied as a deduction in a subsequent year only if the taxpayer member has net income sourced to this state, regardless of whether the taxpayer is a member of a combined group in the subsequent year.

**(4) BUSINESS INCOME OF THE COMBINED GROUP.** The business income of a combined group is determined as follows:

(a) Compute the sum of the income of each member of the combined group as determined for federal income tax purposes, as if the members were not consolidated for federal purposes, and modified as provided under s. 71.26. Each member of the combined group shall determine its income as follows:

1. For any member incorporated in the United States, including the District of Columbia and any territory or possession of the United States, or included in a

consolidated federal corporate income tax return, the income included in the total income of the combined group is the corporation's taxable income as determined under s. 71.26.

2. Except as provided in subd. 3, for any member not included in subd. 1., the income included in the total income of the combined group shall be determined as follows:

a. Each foreign branch or foreign corporation shall prepare a profit and loss statement in the currency in which the branch's or corporation's books of account are regularly maintained.

b. The member shall adjust any statement prepared under subd. 2. a. to conform to the accounting principles generally accepted in the United States for the preparation of profit and loss statements.

c. The member shall adjust any statement prepared under subd. 2. a. to conform to the tax accounting standards required by the department for the administration of this chapter.

d. Each member of the combined group shall translate its profit and loss statements, and the related apportionment factors, into the currency in which the parent corporation maintains its books and records.

e. Each member shall express in U.S. dollars the income apportioned to this state.

3. If the department determines that the income determination under this subsection reasonably approximates income as determined under s. 71.26, any member not included in subd. 1. may determine its income based on a consolidated profit and loss statement that includes the member and that is prepared for the purpose of filing, by related corporations, with the securities and exchange

commission. If the member is not required to file with the securities and exchange commission, the department may allow, for purposes of this subdivision, the use of the consolidated profit and loss statement prepared for reporting to shareholders and subject to review by an independent auditor. If a statement described in this subdivision does not reasonably approximate income as determined under s. 71.26, the department may accept the statement if the member makes appropriate adjustments to the statement, as determined by the department, to approximate the income determined under s. 71.26.

4. If a unitary business includes income from a pass-through entity, the total income of the combined group includes the member's direct and indirect distributive share of the pass-through entity's unitary business income.

5. All dividends paid by one member to another are not included in the recipients income, if the dividends are paid out of the earnings and profits of the unitary business in the current taxable year or in an earlier taxable year. This subdivision does not apply to dividends received from members of a unitary business that are not a part of the combined group.

6. Except as provided by the department by rule, business income or loss from an intercompany transaction between members of the same combined group shall be deferred in a manner similar to 26 CFR 1.1502-13. Upon the occurrence of any of the following events, deferred business income or loss resulting from an intercompany transaction between members of a combined group shall be included in the income of the seller and shall be apportioned as business income earned immediately before the event:

a. The object of the deferred intercompany transaction is sold by the buyer to an entity that is not a member of the combined group.

b. The object of the deferred intercompany transaction is sold by the buyer to an entity that is a member of the combined group for use outside the unitary business in which the buyer and seller are engaged.

c. The object of the deferred intercompany transaction is converted by the buyer to a use outside the unitary business in which the buyer and seller are engaged.

d. The buyer and seller are no longer members of the same combined group, regardless of whether the members remain a unitary business.

7. A charitable expense incurred by a member of a combined group, to the extent allowable as a deduction under section 170 of the Internal Revenue Code, shall be subtracted first from the business income of the combined group, subject to the income limitations of section 170 of the Internal Revenue Code as it applies to the entire business income of the group, and any remaining amount shall be treated as a nonbusiness expense allocable to the member that incurred the expense, subject to the income limitations of section 170 of the Internal Revenue Code as it applies to the nonbusiness income of that member. Any charitable deduction described under this subdivision that is allowed as a carryover deduction in a subsequent year is considered to be originally incurred in the subsequent year by the same member, and this section applies in the subsequent year for purposes of determining the allowable deduction in that year.

8. Gain or loss from the sale or exchange of capital assets, property described in section 1231 (a) (3) of the Internal Revenue Code, and property subject to an involuntary conversion, is removed from the total separate net income of each member of a combined group and is apportioned and allocated as follows:

a. For short-term capital gains or losses, long-term capital gains or losses, gains or losses under section 1231 of the Internal Revenue Code, and involuntary

conversions, the business gain and loss of all members are combined within each class of net business gain or loss and each such class is separately apportioned to each member using the member's apportionment percentage determined under sub. (5).

b. Each taxpayer member shall net its apportioned business gain or loss for all classes, as determined under subd. 8. a., including any such apportioned business gain and loss from other combined groups, against the taxpayer member's nonbusiness gain and loss for all classes allocated to this state as provided under sections 1231 and 1222 of the Internal Revenue Code, not including nonbusiness items allocated to another state.

c. Any resulting state source income or loss, if the loss is not subject to section 1211 of the Internal Revenue Code, of a taxpayer member produced by the application of subd. 8. a. and b. shall then be applied to all other state source income or loss of that member.

d. Any resulting state source loss of a member that is subject to section 1211 of the Internal Revenue Code shall be carried forward or carried back by that member and shall be treated as state source short-term capital loss incurred by that member for the year for which the carry-forward or carry-back applies.

9. Any expense of one member of the unitary business that is directly or indirectly attributable to the nonbusiness or exempt income of another member of the unitary business shall be allocated to that other member as corresponding nonbusiness or exempt expense, as appropriate.

(b) Subtract any nonbusiness income of the combined group from the amount determined under par. (a) and add any nonbusiness expense or loss of the combined group to the amount determined under par. (a).

**(5) TAXPAYER'S SHARE OF BUSINESS INCOME OF A COMBINED GROUP.** The taxpayer's share of the business income apportionable to this state of each combined group of which it is a member shall be the product of the business income of the combined group as determined under sub. (4) and the taxpayer member's sales factor percentage, determined under s. 71.25, modified as follows:

(a) Include in the numerator the taxpayer member's sales associated with the combined group's unitary business in this state.

(b) Include in the numerator the taxpayer member's sales associated with the combined group's unitary business to another state in which the taxpayer member is not engaged in business, regardless of whether another member of the combined group is engaged in business in the other state.

(c) Include in the denominator the sales of all members of the combined group, including the taxpayer, that are associated with the combined group's unitary business regardless of where that business is located.

(d) Include sales of a pass-through entity owned directly or indirectly by a corporation in proportion to a ratio the numerator of which is the amount of the corporation's distributive share of the pass-through entity's unitary income included in the income of the combined group in under sub. (4) and the denominator of which is the amount of the pass-through entity's total unitary income.

(e) Exclude sales between members of the combined group.

(f) If a member of a combined group is not subject to the taxes imposed under s. 71.23 because it is not engaged in business in this state, the numerator of the member's sales factor is zero.

**(6) CREDITS AND POST-APPORTIONMENT DEDUCTIONS.** No tax credit or post-apportionment deduction earned by one member of the combined group, but not



completed, used by, or allowed to that member, may be used in whole or in part by another member of the combined group or applied in whole or in part against the total income of the combined group.

(7) DESIGNATED AGENT. (a) For purposes of administering this section, each combined group shall appoint a sole designated agent. The designated agent is the parent corporation of the combined group, if the parent corporation is a taxpayer member of the combined group and the income of the parent corporation is included in the combined report. If there is no such parent corporation, the designated agent may be appointed by the taxpayer members. If there is no such parent corporation and no taxpayer member is appointed, the designated agent is the taxpayer member that has the most significant operations in this state on a recurring basis, as determined by the department. The designated agent may change only when the designated agent is no longer subject to the tax imposed under s. 71.23 (1) or (2), in which case the combined group shall notify the department of such a change in the manner prescribed by the department.

(b) The designated agent is responsible for acting on behalf of the taxpayer members of the combined group and shall do all of the following:

1. File with the department a combined report under sub. (1) (b).
2. File any extensions under s. 71.24.
3. File any amended combined reports and claims for refund or credit.
4. Send and receive all correspondence with the department regarding the combined report.
5. Remit all taxes, including estimated taxes, to the department. For purposes of computing interest on late payments, all payments remitted are considered to be

made on a proportionate basis by all taxpayer members of the combined group, unless otherwise specified by the designated agent.

6. Participate on behalf of the combined group members in any investigation or hearing requested by the department regarding a combined report, produce all information requested by the department regarding the combined report, and file any appeal related to a combined report. Any appeal filed by the designated agent is considered filed by all members of the combined group.

7. Execute any waiver, closing agreement, power of attorney, or other document regarding the combined report filed under sub. (1) (b). Any waiver, agreement, or document executed by the designated agent is considered executed by all members of the combined group.

8. Receive notices regarding the combined report. Any such notice the department sends to the designated agent is considered sent to all taxpayer members of the combined group.

9. Receive refunds regarding the combined report. Any such refund shall be paid to and in the name of the designated agent and shall discharge any liability of the state to any member of the combined group regarding the refund.

(c) The department may relieve the designated agent from any of the duties described in par. (b) to the extent that the duties relate to income, expense, or loss that is not includable in the business income of the combined group under sub. (4). Unless the department provides for such relief by rule, a designated agent shall obtain written approval from the department to be relieved of any such duties.

**(8) TAXABLE YEAR OF THE COMBINED GROUP.** (a) Except as provided in par. (b), the combined group's taxable year is the designated agent's taxable year. If a member's taxable year is different from the combined group's taxable year, the designated

agent may elect to determine the portion of each member's income to be included in the combined report either from a separate income statement from each member that is prepared by the member's books and records for the months that are included in the combined group's taxable year or by including in the combined report all of the income of each member for the year that ends during the combined group's taxable year. Any election made under this paragraph remains in effect for subsequent years unless the designated agent submits a request to the department to change the election and the department approves in writing.

(b) If 2 or more members of a combined group file a federal consolidated return, the combined group's taxable year is the taxable year that corresponds to the federal consolidated return.

**(9) PART-YEAR MEMBERS OF A COMBINED GROUP.** If a corporation becomes a member of a combined group, or ceases to be a member of a combined group, after the beginning of the combined group's taxable year, the corporation's income shall be determined as provided under subs. (3), (4), and (5) for that portion of the year in which the corporation was a member of the combined group, and the income shall be included in the combined report. The income for the remaining short period shall be reported on a separate return or separate combined report.

**(10) PRESUMPTIONS AND BURDEN OF PROOF.** A commonly controlled group is presumed to be engaged in a unitary business and all of the income of the unitary business is presumed to be apportionable business income under this section. A corporation has the burden of proving that it is not a member of a combined group that is subject to this section.”.

**\*b0471/5.47\* 360.** Page 923, line 2: after that line insert:

**\*b0471/5.47\*** “**SECTION 2021p.** 71.26 (1) (be) of the statutes is amended to read:

71.26 (1) (be) *Certain authorities.* Income of the University of Wisconsin Hospitals and Clinics Authority, of the Health Insurance Risk–Sharing Plan Authority, and of the Healthy Wisconsin Authority, of the Fox River Navigational System Authority, and of the Wisconsin Aerospace Authority.”.

**\*b0503/4.8\* 361.** Page 923, line 2: after that line insert:

**\*b0503/4.8\*** “**SECTION 2021e.** 71.26 (1) (g) of the statutes is created to read:

71.26 (1) (g) For taxable years beginning after December 31, 2006, the amount of any incentive payment received by an individual under s. 23.33 (5r) in the taxable year to which the claim relates.”.

**\*b0343/1.9\* 362.** Page 923, line 22: delete the material beginning with that line and ending on page 962, line 14, and substitute:

**\*b0343/1.9\*** “**SECTION 2023d.** 71.26 (2) (b) of the statutes is repealed and recreated to read:

71.26 (2) (b) *Regulated investment companies, real estate investment trusts, and real estate mortgage investment conduits.* 1. In this paragraph, except as provided in subds. 2. to 4., “net income” means one of the following:

a. That part of the federal regulated investment company income that is subject to federal tax as provided in sections 851 and 852 of the Internal Revenue Code, including federal undistributed net capital gain.

b. That part of the federal real estate investment trust income that is subject to federal tax as provided in sections 856 and 857 of the Internal Revenue Code, including federal undistributed net capital gain, federal net income from foreclosure property, and federal net income derived from prohibited transactions. The

treatment of certain wholly owned subsidiaries under section 856 (i) of the Internal Revenue Code shall apply in computing the net income of a real estate investment trust.

c. That part of the federal real estate mortgage investment conduit income that is subject to federal tax, including federal net income derived from prohibited transactions under section 860F of the Internal Revenue Code and federal net income from foreclosure property under section 860G of the Internal Revenue Code.

2. Property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated for taxable years 1983 to 1986 under the Internal Revenue Code as amended to December 31, 1980, shall continue to be depreciated under the Internal Revenue Code as amended to December 31, 1980.

3. With regard to federal regulated investment company income, federal real estate investment trust income, and federal real estate mortgage investment conduit income, the appropriate amount shall be added or subtracted to reflect differences between the depreciation or adjusted basis for federal income tax purposes and the depreciation or adjusted basis under this chapter of any property disposed of during the taxable year.

4. The dividend paid deduction otherwise allowed by federal law in computing net income of a real estate investment trust that is subject to federal income tax shall be added back in computing the tax imposed under this chapter unless the real estate investment trust is a qualified real estate investment trust.

5. The dividend paid deduction otherwise allowed by federal law in computing net income of a regulated investment company that is subject to federal income tax shall be added back in computing the tax imposed under this chapter unless the regulated investment company is a qualified regulated investment company.”.

**\*b0510/4.3\* 363.** Page 962, line 18: after that line insert:

**\*b0510/4.3\* SECTION 2032d.** 71.26 (3) (x) of the statutes is amended to read:

71.26 (3) (x) Sections 1501 to 1505, 1551, 1552, 1563 and 1564 (relating to consolidated returns) are excluded, except as provided under section 1502 of the U.S. treasury regulations as it relates to deferred gain or loss from an intercompany transaction under s. 71.255 (4) (a) 6.”.

**\*b0462/1.4\* 364.** Page 968, line 19: delete lines 19 to 22.

**\*b0503/4.9\* 365.** Page 1008, line 17: after that line insert:

**\*b0503/4.9\* SECTION 2086k.** 71.43 (1) of the statutes is amended to read:

71.43 (1) INCOME TAX. For the purpose of raising revenue for the state and the counties, cities, villages and towns, there shall be assessed, levied, collected and paid a tax as provided under this chapter on all Wisconsin net incomes of corporations that are not subject to the franchise tax under sub. (2) and that own property within this state; that derive income from sources within this state or from activities that are attributable to this state; or whose business within this state during the taxable year, except as provided under s. 71.23 (3), consists exclusively of foreign commerce, interstate commerce, or both, or that buy or sell lottery prizes if the winning tickets were originally bought in this state; except as exempted under ss. 71.26 (1) and 71.45 (1) (a). This section shall not be construed to prevent or affect the correction of errors or omissions in the assessments of income for former years under s. 71.74 (1) and (2).

**\*b0503/4.9\* SECTION 2086L.** 71.43 (2) of the statutes is amended to read:

71.43 (2) FRANCHISE TAX ON CORPORATIONS. For the privilege of exercising its franchise, buying or selling lottery prizes if the winning tickets were originally bought in this state or doing business in this state in a corporate capacity, except as

provided under s. 71.23 (3), every domestic or foreign corporation, except corporations specified in ss. 71.26 (1) and 71.45 (1) (a), shall annually pay a franchise tax according to or measured by its entire Wisconsin net income of the preceding taxable year at the rates set forth in s. 71.46 (2). In addition, except as provided in ss. 71.23 (3), 71.26 (1) and 71.45 (1) (a), a corporation that ceases doing business in this state shall pay a special franchise tax according to or measured by its entire Wisconsin net income for the taxable year during which the corporation ceases doing business in this state at the rate under s. 71.46 (2). Every corporation organized under the laws of this state shall be deemed to be residing within this state for the purposes of this franchise tax. All provisions of this chapter and ch. 73 relating to income taxation of corporations shall apply to franchise taxes imposed under this subsection, unless the context requires otherwise. The tax imposed by this subsection on insurance companies subject to taxation under this chapter shall be based on Wisconsin net income computed under s. 71.45, and no other provision of this chapter relating to computation of taxable income for other corporations shall apply to such insurance companies. All other provisions of this chapter shall apply to insurance companies subject to taxation under this chapter unless the context clearly requires otherwise.”.

**\*b0503/4.10\* 366.** Page 1009, line 9: after that line insert:

**\*b0503/4.10\* “SECTION 2087e.** 71.45 (1) of the statutes is renumbered 71.45 (1) (intro.) and amended to read:

71.45 (1) EXEMPT AND EXCLUDABLE INCOME. (intro.) There shall be exempt from taxation under this subchapter income as follows:

(a) Income of insurers exempt from federal income taxation pursuant to section 501 (c) (15) of the internal revenue code, town mutuals organized under or subject to ch. 612, foreign insurers, and domestic insurers engaged exclusively in life insurance business, domestic insurers insuring against financial loss by reason of nonpayment of principal, interest and other sums agreed to be paid under the terms of any note or bond or other evidence of indebtedness secured by a mortgage, deed of trust or other instrument constituting a lien or charge on real estate and corporations organized under ch. 185, but not including income of cooperative sickness care associations organized under s. 185.981, or of a service insurance corporation organized under ch. 613, that is derived from a health maintenance organization as defined in s. 609.01 (2) or a limited service health organization as defined in s. 609.01 (3), or operating under subch. I of ch. 616 which are bona fide cooperatives operated without pecuniary profit to any shareholder or member, or operated on a cooperative plan pursuant to which they determine and distribute their proceeds in substantial compliance with s. 185.45. This subsection paragraph does not apply to income that is realized from the sale of or purchase and subsequent sale or redemption of lottery prizes if the winning tickets were originally bought in this state.

**\*b0503/4.10\* SECTION 2087g.** 71.45 (1) (b) of the statutes is created to read:

71.45 (1) (b) For taxable years beginning after December 31, 2006, the amount of any incentive payment received by an individual under s. 23.33 (5r) in the taxable year to which the claim relates.”.

**\*b0462/1.5\* 367.** Page 1015, line 17: delete lines 17 to 20.

**\*b0373/P3.6\* 368.** Page 1039, line 24: after that line insert:



**\*b0373/P3.6\* SECTION 2143.** 73.01 (4) (b) of the statutes is amended to read:

73.01 (4) (b) Any matter required to be heard by the commission may be heard by any member of the commission or its a hearing examiner and reported to the commission, and hearings of matters pending before it shall be assigned to members of the commission or its the hearing examiner by the chairperson. Cases other than small claims cases shall be decided by the full commission, except that if one or more members of the commission are unavailable, cases other than small claims cases shall be decided by the member or members assigned by the chairperson prior to the hearing. If the parties have agreed to an oral decision, the member or members conducting the hearing may render an oral decision. Hearings shall be open to the public and all proceedings shall be conducted in accordance with rules of practice and procedure prescribed by the commission. Small claims cases shall be decided by one commissioner assigned by the chairperson prior to the hearing.”.

**\*b0373/P3.7\* 369.** Page 1040, line 10: after that line insert:

**\*b0373/P3.7\* SECTION 2144.** 73.01 (4m) (b) of the statutes is amended to read:

73.01 (4m) (b) No member of the commission, including the chairperson, or its a hearing examiner may receive any salary unless he or she first executes an affidavit at the end of each salary period stating that he or she has complied with the deadlines in par. (a). The affidavit shall be presented to and filed with every official who certifies, in whole or in part, the salary.

**\*b0373/P3.7\* SECTION 2145.** 73.01 (4m) (c) of the statutes is amended to read:

73.01 (4m) (c) If a member of the commission, including the chairperson, or its a hearing examiner is unable to comply with the deadline under par. (a), that person

shall so certify in the record, and the period is then extended for one additional period not to exceed 90 days.”.

**\*b0462/1.6\* 370.** Page 1045, line 17: delete lines 17 to 25.

**\*b0369/1.5\* 371.** Page 1046, line 5: after that line insert:

**\*b0369/1.5\*** “**SECTION 2155c.** 73.0301 (1) (d) 3m. of the statutes is amended to read:

73.0301 (1) (d) 3m. A license or certificate issued by the department of workforce development under s. 102.17 (1) (c), 103.275 (2) (b), 103.34 (3) (c), 103.91 (1), 103.92 (3), 104.07 (1) or (2), or 105.13 (1).”.

**\*b0378/3.2\* 372.** Page 1047, line 12: after that line insert:

**\*b0378/3.2\*** “**SECTION 2160d.** 74.35 (2m) of the statutes is amended to read:

74.35 (2m) EXCLUSIVE PROCEDURE. A claim that property is exempt, other than a claim that property is exempt under s. 70.11 (21) (a) or (27), may be made only in an action under this section. Such a claim may not be made by means of an action under s. 74.33 or an action for a declaratory judgment under s. 806.04.

**\*b0378/3.2\* SECTION 2160f.** 74.35 (5) (d) of the statutes is amended to read:

74.35 (5) (d) No claim may be made under this section based on the contention that the tax was unlawful because the property is exempt from taxation under s. 70.11 (21) (a) or (27).

**\*b0378/3.2\* SECTION 2160h.** 76.025 (1) of the statutes is amended to read:

76.025 (1) The property taxable under s. 76.13 shall include all franchises, and all real and personal property of the company used or employed in the operation of its business, excluding property that is exempt from the property tax under s. 70.11 (39) and (39m), such motor vehicles as are exempt under s. 70.112 (5) and treatment

plant and pollution abatement equipment exempt under s. 70.11 (21) (a). The taxable property shall include all title and interest of the company referred to in such property as owner, lessee or otherwise, and in case any portion of the property is jointly used by 2 or more companies, the unit assessment shall include and cover a proportionate share of that portion of the property jointly used so that the assessments of the property of all companies having any rights, title or interest of any kind or nature whatsoever in any such property jointly used shall, in the aggregate, include only one total full value of such property.”.

**\*b0378/3.3\* 373.** Page 1051, line 12: after that line insert:

**\*b0378/3.3\* “SECTION 2166d.** 76.81 of the statutes is amended to read:

**76.81 Imposition.** There is imposed a tax on the real property of, and the tangible personal property of, every telephone company, excluding property that is exempt from the property tax under s. 70.11 (39) and (39m), motor vehicles that are exempt under s. 70.112 (5), property that is used less than 50% in the operation of a telephone company, as provided under s. 70.112 (4) (b), and treatment plant and pollution abatement equipment that is exempt under s. 70.11 (21) (a). Except as provided in s. 76.815, the rate for the tax imposed on each description of real property and on each item of tangible personal property is the net rate for the prior year for the tax under ch. 70 in the taxing jurisdictions where the description or item is located. The real and tangible personal property of a telephone company shall be assessed as provided under s. 70.112 (4) (b).”.

**\*b0348/3.1\* 374.** Page 1062, line 21: after that line insert:

**\*b0348/3.1\* “SECTION 2199m.** 77.51 (4) (c) 1. of the statutes is amended to read:

77.51 (4) (c) 1. All receipts, cash, credits, and property except as provided in par. (b) 3., including credits for which a person's books and records show that the transaction created, with regard to the transferee, an obligation to pay a certain amount of money or an increase in accounts payable or, with regard to the transferor, a right to receive a certain amount of money or an increase in accounts receivable."

**\*b0348/3.2\* 375.** Page 1062, line 22: after "statutes" insert ", as affected by 2007 Wisconsin Act .... (this act),".

**\*b0348/3.3\* 376.** Page 1073, line 6: delete lines 6 to 11 and substitute:

**\*b0348/3.3\* "SECTION 2224ac.** 77.51 (12) (a) of the statutes is amended to read:

77.51 (12) (a) Any transfer of title, possession, ownership, enjoyment, or use by: cash or credit transaction, exchange, barter, lease or rental, conditional or otherwise, in any manner or by any means whatever of tangible personal property for a consideration, including any transaction for which a person's books and records show the transaction created, with regard to the transferee, an obligation to pay a certain amount of money or an increase in accounts payable or, with regard to the transferor, a right to receive a certain amount of money or an increase in accounts receivable;

**\*b0348/3.3\* SECTION 2224ae.** 77.51 (12) (a) of the statutes, as affected by 2007 Wisconsin Act ... (this act), is repealed and recreated to read:

77.51 (12) (a) Any transfer of title, possession, ownership, enjoyment, or use by: cash or credit transaction, exchange, barter, lease or rental, conditional or otherwise, in any manner or by any means whatever of tangible personal property, items or property under s. 77.52 (1) (b) or (c), specified digital goods, or additional digital goods for a consideration, including any transaction for which a person's

books and records show the transaction created, with regard to the transferee, an obligation to pay a certain amount of money or an increase in accounts payable or, with regard to the transferor, a right to receive a certain amount of money or an increase in accounts receivable;”.

**\*b0348/3.4\* 377.** Page 1079, line 19: after that line insert:

**\*b0348/3.4\* “SECTION 2237d.** 77.51 (13) (p) of the statutes is created to read:

77.51 (13) (p) All persons described in this subsection regardless of all of the following:

1. Whether the transaction is mercantile in nature.
2. Whether the seller sells smaller quantities from inventory.
3. Whether the seller makes or intends to make a profit on the sale.
4. Whether the seller or the buyer receives a benefit the seller or buyer bargained for.
5. The percentage of the seller’s total sales that the sale represents.
6. Any activities other than those described in pars. (a) to (o) in which the seller is engaged.”.

**\*b0348/3.5\* 378.** Page 1082, line 25: after that line insert:

**\*b0348/3.5\* “SECTION 2253d.** 77.51 (14) (m) of the statutes is created to read:

77.51 (14) (m) A transaction for which a person’s books and records show the transaction created, with regard to the transferee, an obligation to pay a certain amount of money or an increase in accounts payable or, with regard to the transferor, a right to receive a certain amount of money or an increase in accounts receivable.

**\*b0348/3.5\* SECTION 2253e.** 77.51 (14) (n) of the statutes is created to read:

77.51 (14) (n) All activities described in this subsection regardless of all of the following:

1. Whether the transaction is mercantile in nature.
2. Whether the seller sells smaller quantities from inventory.
3. Whether the seller makes or intends to make a profit on the sale.
4. Whether the seller or the buyer receives a benefit the seller or buyer bargained for.
5. The percentage of the seller's total sales that the sale represents.
6. Any activities other than those described in sub. (13) (a) to (o) in which the seller is engaged.”.

**\*b0348/3.6\* 379.** Page 1089, line 21: delete the material beginning with that line and ending with page 1090, line 2, and substitute:

**\*b0348/3.6\* “SECTION 2269d.** 77.51 (17) of the statutes is renumbered 77.51 (17) (intro.) and amended to read:

77.51 (17) (intro.) “Seller” includes every person selling, leasing, or renting tangible personal property or selling, performing, or furnishing services of a kind the gross receipts from the sale, lease, rental, performance, or furnishing of which are required to be included in the measure of the sales tax., regardless of all of the following:

**\*b0348/3.6\* SECTION 2269e.** 77.51 (17) (intro.) of the statutes, as affected by 2007 Wisconsin Act .... (this act), is amended to read:

77.51 (17) (intro.) “Seller” includes every person selling, leasing, or renting tangible personal property, items or property under s. 77.52 (1) (b) or (c), specified digital goods, or additional digital goods or selling, performing, or furnishing services

of a kind the ~~gross receipts~~ sales price from the sale, lease, rental, performance, or furnishing of which are is required to be included in the measure of the sales tax, regardless of all of the following:

**\*b0348/3.6\* SECTION 2269f.** 77.51 (17) (a) to (f) of the statutes are created to read:

77.51 (17) (a) Whether the transaction is mercantile in nature.

(b) Whether the seller sells smaller quantities from inventory.

(c) Whether the seller makes or intends to make a profit on the sale.

(d) Whether the seller or the buyer receives a benefit the seller or buyer bargained for.

(e) The percentage of the seller's total sales that the sale represents.

(f) Any activities other than those described in sub. (13) (a) to (o) in which the seller is engaged.”.

**\*b0348/3.7\* 380.** Page 1097, line 4: after that line insert:

**\*b0348/3.7\* “SECTION 2289d.** 77.52 (1b) of the statutes is created to read:

77.52 (1b) All sales, leases, or rentals of tangible personal property at retail in this state are subject to the tax imposed under sub. (1) unless an exemption in this subchapter applies.

**\*b0348/3.7\* SECTION 2289e.** 77.52 (1b) of the statutes, as created by 2007 Wisconsin Act .... (this act), is repealed and recreated to read:

77.52 (1b) All sales, leases, or rentals of tangible personal property, items or property under sub. (1) (b) or (c), specified digital goods, or additional digital goods at retail in this state are subject to the tax imposed under sub. (1) unless an exemption in this subchapter applies.”.

**\*b0348/3.8\* 381.** Page 1102, line 7: after that line insert:

**\*b0348/3.8\*** “**SECTION 2300d.** 77.52 (2n) of the statutes is created to read:

77.52 (2n) The selling, performing, or furnishing of the services described under sub. (2) (a) at retail in this state is subject to the tax imposed under sub. (2) unless an exemption in this subchapter applies.

**\*b0348/3.8\*** **SECTION 2300e.** 77.52 (2n) of the statutes, as created by 2007 Wisconsin Act .... (this act), is repealed and recreated to read:

77.52 (2n) The selling, licensing, performing, or furnishing of the services described under sub. (2) (a) at retail in this state, as determined under s. 77.522, is subject to the tax imposed under sub. (2) unless an exemption in this subchapter applies.”.

**\*b0348/3.9\* 382.** Page 1118, line 11: after that line insert:

**\*b0348/3.9\*** “**SECTION 2326d.** 77.53 (1b) of the statutes is created to read:

77.53 (1b) The storage, use, or other consumption in this state of tangible personal property, and the use or other consumption in this state of a taxable service, purchased from any retailer is subject to the tax imposed in this section unless an exemption in this subchapter applies.

**\*b0348/3.9\*** **SECTION 2326e.** 77.53 (1b) of the statutes, as created by 2007 Wisconsin Act .... (this act), is repealed and recreated to read:

77.53 (1b) The storage, use, or other consumption in this state of tangible personal property, items or property under s. 77.52 (1) (b) or (c), specified digital goods, or additional digital goods, and the use or other consumption in this state of a taxable service, purchased from any retailer is subject to the tax imposed in this section unless an exemption in this subchapter applies.”.



**\*b0471/5.48\* 383.** Page 1128, line 25: after that line insert:

**\*b0471/5.48\* “SECTION 2356d.** 77.54 (9a) (a) of the statutes is amended to read:

77.54 (9a) (a) This state or any agency thereof, the University of Wisconsin Hospitals and Clinics Authority, the Wisconsin Aerospace Authority, the Health Insurance Risk–Sharing Plan Authority, the Healthy Wisconsin Authority, and the Fox River Navigational System Authority.”.

**\*b0378/3.4\* 384.** Page 1134, line 22: delete the material beginning with that line and ending with page 1135, line 12, and substitute:

**\*b0378/3.4\* “SECTION 2386b.** 77.54 (26) of the statutes is amended to read:

77.54 (26) The gross receipts from the sales of and the storage, use, or other consumption of tangible personal property which becomes a component part of an industrial waste treatment facility that is exempt under s. 70.11 (21) (a) or that would be exempt under s. 70.11 (21) (a) if the property were taxable under ch. 70, or tangible personal property which becomes a component part of a waste treatment facility of this state or any agency thereof, or any political subdivision of the state or agency thereof as provided in s. 40.02 (28). The exemption includes replacement parts therefor, and also applies to chemicals and supplies used or consumed in operating a waste treatment facility and to purchases of tangible personal property made by construction contractors who transfer such property to their customers in fulfillment of a real property construction activity. This exemption does not apply to tangible personal property installed in fulfillment of a written construction contract entered into, or a formal written bid made, prior to July 31, 1975.

**\*b0378/3.4\* SECTION 2386c.** 77.54 (26) of the statutes, as affected by 2007 Wisconsin Act .... (this act), is amended to read:

77.54 (26) The ~~gross receipts~~ sales price from the sales of and the storage, use, or other consumption of tangible personal property and property under s. 77.52 (1) (b) which becomes a component part of an industrial waste treatment facility that is exempt under s. 70.11 (21) or that would be exempt under s. 70.11 (21) if the property were taxable under ch. 70, or tangible personal property and property under s. 77.52 (1) (b) which becomes a component part of a waste treatment facility of this state or any agency thereof, or any political subdivision of the state or agency thereof as provided in s. 40.02 (28). The exemption includes replacement parts therefor, and also applies to chemicals and supplies used or consumed in operating a waste treatment facility and to purchases of tangible personal property and property under s. 77.52 (1) (b) made by construction contractors who transfer such property to their customers in fulfillment of a real property construction activity. This exemption does not apply to tangible personal property and property under s. 77.52 (1) (b) installed in fulfillment of a written construction contract entered into, or a formal written bid made, prior to July 31, 1975.”.

**\*b0344/1.1\* 385.** Page 1148, line 15: after “paper.” insert “The department shall promulgate rules to administer this subsection, and the rules shall provide that the filing fee under this subsection shall not exceed \$5 for each return filed on paper.”.

**\*b0331/3.17\* 386.** Page 1176, line 6: after that line insert:

**\*b0331/3.17\* “SECTION 2483q.** 77.97 of the statutes is amended to read:

**77.97 Use of revenue.** The department of revenue shall deposit the surcharge, interest and penalties collected under this subchapter in the recycling and renewable energy fund under s. 25.49.”.

**\*b0348/3.10\* 387.** Page 1176, line 25: delete the material beginning with that line and ending with page 1177, line 6, and substitute:

**\*b0348/3.10\* “SECTION 2486ac.** 77.982 (2) of the statutes is amended to read:

77.982 (2) Sections 77.51 (4) (a), (b) 1., 2., and 4., (c) 1. to 3. and (d), (14) (a) to (f), (j) and (k) and (14g), 77.52 (1b), (3), (6), (13), (14), (18), and (19), 77.53 (1b), 77.58 (1) to (5) and (7), 77.59, 77.60, 77.61 (2), (5), (8), (9), and (12) to (14) and 77.62, as they apply to the taxes under subch. III, apply to the tax under this subchapter. Sections 77.72 (1) and 77.73, as they apply to the taxes under subch. V, apply to the tax under this subchapter.

**\*b0348/3.10\* SECTION 2486ae.** 77.982 (2) of the statutes, as affected by 2007 Wisconsin Act .... (this act), is repealed and recreated to read:

77.982 (2) Sections 77.51 (12m), (14), (14g), (15a), and (15b), 77.52 (1b), (3), (4), (13), (14), (18), and (19), 77.53 (1b), 77.58 (1) to (5), (6m), and (7), 77.585, 77.59, 77.60, 77.61 (2), (3m), (5), (8), (9), and (12) to (15), and 77.62, as they apply to the taxes under subch. III, apply to the tax under this subchapter. Section 77.73, as it applies to the taxes under subch. V, applies to the tax under this subchapter.”.

**\*b0348/3.11\* 388.** Page 1177, line 20: delete the material beginning with that line and ending with page 1178, line 3, and substitute:

**\*b0348/3.11\* “SECTION 2488ac.** 77.991 (2) of the statutes is amended to read:

77.991 (2) Sections 77.51 (4) (a), (b) 1., 2., and 4., (c) 1. to 3. and (d) and (14) (a) to (f), (j) and (k), 77.52 (1b), (4), (6), (13), (14), and (18), 77.53 (1b), 77.58 (1) to (5) and

(7), 77.59, 77.60, 77.61 (2), (5), (8), (9), and (12) to (14) and 77.62, as they apply to the taxes under subch. III, apply to the tax under this subchapter. Sections 77.72 (1) and (2) (a) and 77.73, as they apply to the taxes under subch. V, apply to the tax under this subchapter. The renter shall collect the tax under this subchapter from the person to whom the passenger car is rented.

**\*b0348/3.11\* SECTION 2488ae.** 77.991 (2) of the statutes, as affected by 2007 Wisconsin Act .... (this act), is repealed and recreated to read:

77.991 (2) Sections 77.51 (12m), (14), (14g), (15a), and (15b), 77.52 (1b), (3), (4), (13), (14), (18), and (19), 77.53 (1b), 77.58 (1) to (5), (6m), and (7), 77.585, 77.59, 77.60, 77.61 (2), (3m), (5), (8), (9), and (12) to (15), and 77.62, as they apply to the taxes under subch. III, apply to the tax under this subchapter. Section 77.73, as it applies to the taxes under subch. V, applies to the tax under this subchapter. The renter shall collect the tax under this subchapter from the person to whom the passenger car is rented.”.

**\*b0348/3.12\* 389.** Page 1178, line 25: delete the material beginning with that line and ending with page 1179, line 6, and substitute:

**\*b0348/3.12\* “SECTION 2492ac.** 77.9951 (2) of the statutes is amended to read:  
77.9951 (2) Sections 77.51 (4) (a), (b) 1., 2., and 4., (c) 1. to 3. and (d) and (14) (a) to (f), (j) and (k), 77.52 (1b), (4), (6), (13), (14), and (18), 77.53 (1b), 77.58 (1) to (5) and (7), 77.59, 77.60, 77.61 (2), (5), (8), (9), and (12) to (14) and 77.62, as they apply to the taxes under subch. III, apply to the fee under this subchapter. The renter shall collect the fee under this subchapter from the person to whom the vehicle is rented.

**\*b0348/3.12\* SECTION 2492ae.** 77.9951 (2) of the statutes, as affected by 2007 Wisconsin Act .... (this act), is repealed and recreated to read:

77.9951 (2) Sections 77.51 (12m), (14), (14g), (15a), and (15b), 77.52 (1b), (3), (4), (13), (14), (18), and (19), 77.53 (1b), 77.58 (1) to (5), (6m), and (7), 77.585, 77.59, 77.60, 77.61 (2), (3m), (5), (8), (9), and (12) to (15), and 77.62, as they apply to the taxes under subch. III, apply to the fee under this subchapter. The renter shall collect the fee under this subchapter from the person to whom the vehicle is rented.”.

**\*b0399/P1.2\* 390.** Page 1179, line 19: after that line insert:

**\*b0399/P1.2\* SECTION 2494d.** 77.9971 of the statutes is amended to read:

**77.9971 Imposition.** A regional transit authority under s. 59.58 (6) may impose a fee at a rate not to exceed ~~\$2~~ \$15 for each transaction in the region, as defined in s. 59.58 (6) (a) 2., on the rental, but not for rental and not for rental as a service or repair replacement vehicle, of Type 1 automobiles, as defined in s. 340.01 (4) (a), by establishments primarily engaged in short-term rental of passenger cars without drivers, for a period of 30 days or less, unless the sale is exempt from the sales tax under s. 77.54 (1), (4), (7) (a), (7m), (9), or (9a). The fee imposed under this subchapter shall be effective on the first day of the first month that begins at least 90 days after the governing body of the regional transit authority approves the imposition of the fee and notifies the department of revenue. The governing body shall notify the department of a repeal of the fee imposed under this subchapter at least 60 days before the effective date of the repeal.”.

**\*b0348/3.13\* 391.** Page 1179, line 20: delete the material beginning with that line and ending with page 1180, line 3, and substitute:

**\*b0348/3.13\* SECTION 2495ac.** 77.9972 (2) of the statutes is amended to read:

77.9972 (2) Sections 77.51 (4) (a), (b) 1., 2., and 4., (c) 1. to 3. and (d) and (14) (a) to (f), (j), and (k), 77.52 (1b) (4), (6), (13), (14), and (18), 77.53 (1b), 77.58 (1) to (5)

and (7), 77.59, 77.60, 77.61 (2), (5), (8), (9), and (12) to (14), and 77.62, as they apply to the taxes under subch. III, apply to the fee under this subchapter. Sections 77.72 (1) and (2) (a) and 77.73, as they apply to the taxes under subch. V, apply to the fee under this subchapter. The renter shall collect the fee under this subchapter from the person to whom the passenger car is rented.

**\*b0348/3.13\* SECTION 2495ae.** 77.9972 (2) of the statutes, as affected by 2007 Wisconsin Act .... (this act), is repealed and recreated to read:

77.9972 **(2)** Sections 77.51 (12m), (14), (14g), (15a), and (15b), 77.52 (1b), (3), (4), (13), (14), (18), and (19), 77.53 (1b), 77.58 (1) to (5), (6m), and (7), 77.585, 77.59, 77.60, 77.61 (2), (3m), (5), (8), (9), and (12) to (15), and 77.62, as they apply to the taxes under subch. III, apply to the fee under this subchapter. Section 77.73, as it applies to the taxes under subch. V, applies to the fee under this subchapter. The renter shall collect the fee under this subchapter from the person to whom the passenger car is rented.”.

**\*b0463/2.1\* 392.** Page 1180, line 9: after that line insert:

“(1d) “Annual gross receipts” means the gross receipts that correspond to the state’s fiscal year.”.

**\*b0463/2.2\* 393.** Page 1180, line 10: delete “(1)” and substitute “(1m)”.

**\*b0360/2.2\* 394.** Page 1180, line 12: after that line insert:

“(2m) “Gross receipts” means all consideration received from the first sale of motor vehicle fuel received by a supplier for sale in this state, for sale for export to this state, or for export to this state, not including state or federal excise taxes, or petroleum inspection fees, collected from the purchaser. “Gross receipts” does not include consideration received from the first sale of motor vehicle fuel received by a

supplier for sale in this state, for sale for export to this state, or for export to this state, if the motor vehicle fuel is motor vehicle fuel specified under s. 78.01 (2) or (2m).”.

**\*b0463/2.3\* 395.** Page 1180, line 19: delete “2.5 percent” and substitute “the following percentages”.

**\*b0463/2.4\* 396.** Page 1180, line 20: before “gross receipts” insert “annual”.

**\*b0463/2.5\* 397.** Page 1180, line 20: delete “in each calendar quarter”.

**\*b0463/2.7\* 398.** Page 1180, line 22: after that line insert:

“(a) For the first \$15,000,000 of the supplier’s annual gross receipts, 0.0 percent.

(b) For that portion of the supplier’s annual gross receipts that exceeds \$15,000,000, but not \$75,000,000, 0.5 percent.

(c) For that portion of the supplier’s annual gross receipts that exceeds \$75,000,000, but not \$120,000,000, 1.5 percent.

(d) For that portion of the supplier’s annual gross receipts that exceeds \$120,000,000, 3 percent.”.

**\*b0463/2.6\* 399.** Page 1180, line 22: delete that line and substitute “export to this state, or for export to this state:”.

**\*b0463/2.8\* 400.** Page 1181, line 8: delete “for each calendar quarter”.

**\*b0463/2.10\* 401.** Page 1181, line 10: delete “assessments are imposed” and substitute “gross receipts are earned”.

**\*b0463/2.9\* 402.** Page 1181, line 10: delete “for” and substitute “in”.

**\*b0463/2.11\* 403.** Page 1181, line 15: on lines 15 and 18, before “gross” insert “annual”.

**\*b0360/2.3\* 404.** Page 1181, line 24: delete “A supplier who takes” and substitute “The person responsible for taking”.

**\*b0360/2.4\* 405.** Page 1182, line 3: after “both.” insert “For purposes of this subsection, the person responsible for taking any action to increase or influence the selling price of motor vehicle fuel to recover the amount of the assessment is the officer, employee, or other responsible person of a corporation or other form of business association or the partner, member, employee, or other responsible person of a partnership, limited liability company, or sole proprietorship who, as such officer, employee, partner, member, or other responsible person, has a duty to establish the selling price of motor vehicle fuel.”.

**\*b0360/2.5\* 406.** Page 1182, line 15: delete “(a)”.

**\*b0360/2.6\* 407.** Page 1182, line 21: delete lines 21 and 22.

**\*b0535/2.2\* 408.** Page 1183, line 15: on lines 15 and 20, after “79.04,” insert “79.044.”.

**\*b0535/2.3\* 409.** Page 1183, line 21: after that line insert:

**\*b0535/2.3\* “SECTION 2504d.** 79.02 (3) (a) of the statutes is amended to read:  
79.02 (3) (a) Subject to s. 59.605 (4), payments to each municipality and county in November shall equal that municipality’s or county’s entitlement under ss. 79.03, 79.035, 79.04, 79.044. 79.05, 79.058, and 79.06 for the current year, minus the amount distributed to the municipality or county in July.”.

**\*b0378/3.5\* 410.** Page 1183, line 25: after that line insert:

**\*b0378/3.5\* “SECTION 2505d.** 79.04 (1) (a) of the statutes is amended to read:



79.04 (1) (a) An amount from the shared revenue account or, for the distribution in 2003, from the appropriation under s. 20.835 (1) (t), 2003 stats., determined by multiplying by 3 mills in the case of a town, and 6 mills in the case of a city or village, the first \$125,000,000 of the amount shown in the account, plus leased property, of each public utility except qualified wholesale electric companies, as defined in s. 76.28 (1) (gm), on December 31 of the preceding year for “production plant, exclusive of land,” “general structures,” and “substations,” in the case of light, heat and power companies, electric cooperatives or municipal electric companies, for all property within a municipality in accordance with the system of accounts established by the public service commission or rural electrification administration, less depreciation thereon as determined by the department of revenue and less the value of treatment plant and pollution abatement equipment, as defined under s. 70.11 (21) (a), as determined by the department of revenue plus an amount from the shared revenue account or, for the distribution in 2003, from the appropriation under s. 20.835 (1) (t), 2003 stats., determined by multiplying by 3 mills in the case of a town, and 6 mills in the case of a city or village, of the first \$125,000,000 of the total original cost of production plant, general structures, and substations less depreciation, land and approved waste treatment facilities of each qualified wholesale electric company, as defined in s. 76.28 (1) (gm), as reported to the department of revenue of all property within the municipality. The total of amounts, as depreciated, from the accounts of all public utilities for the same production plant is also limited to not more than \$125,000,000. The amount distributable to a municipality under this subsection and sub. (6) in any year shall not exceed \$300 times the population of the municipality.”.

**\*b0544/2.1\* 411.** Page 1183, line 25: after that line insert:

**\*b0544/2.1\*** “**SECTION 2505d.** 79.04 (1) (intro.) of the statutes is amended to read:

79.04 (1) (intro.) Annually, except for production plants that begin operation after December 31, 2003, or begin operation as a repowered production plant after December 31, 2003, and except as provided in sub. (4m), the department of administration, upon certification by the department of revenue, shall distribute to a municipality having within its boundaries a production plant, general structure, or substation, used by a light, heat, or power company assessed under s. 76.28 (2) or 76.29 (2), except property described in s. 66.0813 unless the production plant or substation is owned or operated by a local governmental unit located outside of the municipality, or by an electric cooperative assessed under ss. 76.07 and 76.48, respectively, or by a municipal electric company under s. 66.0825 the amount determined as follows:

**\*b0544/2.1\* SECTION 2505e.** 79.04 (1) (b) 1. of the statutes is amended to read:

79.04 (1) (b) 1. Beginning with the distribution under this subsection in 1991, and ending with the distribution under this subsection in 2008, the amount determined under par. (a) to value property used by a light, heat or power company in a municipality may not be less than the amount determined to value the property for the distribution to the municipality under this subsection in 1990, subject to subds. 2., 3. and 4.

**\*b0544/2.1\* SECTION 2505f.** 79.04 (2) (a) of the statutes is amended to read:

79.04 (2) (a) Annually, except for production plants that begin operation after December 31, 2003, or begin operation as a repowered production plant after

December 31, 2003, and except as provided in sub. (4m), the department of administration, upon certification by the department of revenue, shall distribute from the shared revenue account or, for the distribution in 2003, from the appropriation under s. 20.835 (1) (t), 2003 stats., to any county having within its boundaries a production plant, general structure, or substation, used by a light, heat or power company assessed under s. 76.28 (2) or 76.29 (2), except property described in s. 66.0813 unless the production plant or substation is owned or operated by a local governmental unit that is located outside of the municipality in which the production plant or substation is located, or by an electric cooperative assessed under ss. 76.07 and 76.48, respectively, or by a municipal electric company under s. 66.0825 an amount determined by multiplying by 6 mills in the case of property in a town and by 3 mills in the case of property in a city or village the first \$125,000,000 of the amount shown in the account, plus leased property, of each public utility except qualified wholesale electric companies, as defined in s. 76.28 (1) (gm), on December 31 of the preceding year for “production plant, exclusive of land,” “general structures,” and “substations,” in the case of light, heat and power companies, electric cooperatives or municipal electric companies, for all property within the municipality in accordance with the system of accounts established by the public service commission or rural electrification administration, less depreciation thereon as determined by the department of revenue and less the value of treatment plant and pollution abatement equipment, as defined under s. 70.11 (21) (a), as determined by the department of revenue plus an amount from the shared revenue account or, for the distribution in 2003, from the appropriation under s. 20.835 (1) (t), 2003 stats., determined by multiplying by 6 mills in the case of property in a town, and 3 mills in the case of property in a city or village, of the total original cost of production

plant, general structures, and substations less depreciation, land and approved waste treatment facilities of each qualified wholesale electric company, as defined in s. 76.28 (1) (gm), as reported to the department of revenue of all property within the municipality. The total of amounts, as depreciated, from the accounts of all public utilities for the same production plant is also limited to not more than \$125,000,000. The amount distributable to a county under this subsection and sub. (6) in any year shall not exceed \$100 times the population of the county.

**\*b0544/2.1\* SECTION 2505g.** 79.04 (2) (am) 1. of the statutes is amended to read:

79.04 (2) (am) 1. Beginning with the distribution under this subsection in 1991, and ending with the distribution under this subsection in 2008, the amount determined under par. (a) to value property used by a light, heat or power company in a county may not be less than the amount determined to value the property for the distribution to the county under this subsection in 1990, subject to subs. 2. and 3.

**\*b0544/2.1\* SECTION 2505h.** 79.04 (4m) of the statutes is created to read:

79.04 (4m) Beginning with distributions in 2009, for production plants described under subs. (1) and (2), if in any year the payments to the municipality and county in which the production plant is located would be greater under subs. (6) and (7) (c) 1. based on the production plant's name-plate capacity than under sub. (1) or (2) based on the depreciated net book value of the production plant, the municipality and county shall receive payments under subs. (6) and (7) (c) 1., rather than under sub. (1) or (2), beginning in that year and in each year thereafter.

**\*b0544/2.1\* SECTION 2505i.** 79.04 (6) (a) of the statutes is amended to read:

79.04 (6) (a) Annually, beginning in 2005, for production plants that begin operation after December 31, 2003, or begin operation as a repowered production

plant after December 31, 2003, except as provided in sub. (4m), the department of administration, upon certification by the department of revenue, shall distribute payments from the public utility account, as determined under par. (b), to each municipality and county in which a production plant is located, if the production plant has a name–plate capacity of at least one megawatt and is used by a light, heat, or power company assessed under s. 76.28 (2) or 76.29 (2), except property described in s. 66.0813, unless the production plant is owned or operated by a local governmental unit located outside of the municipality; by a qualified wholesale electric company, as defined in s. 76.28 (1) (gm); by a wholesale merchant plant, as defined in s. 196.491 (1) (w); by an electric cooperative assessed under ss. 76.07 and 76.48, respectively; or by a municipal electric company under s. 66.0825.”.

**\*b0535/2.4\* 412.** Page 1184, line 8: after “(e)” insert “and 79.044 (3)”.

**\*b0535/2.5\* 413.** Page 1184, line 18: after “2008” insert “, not including the reductions calculated under s. 79.044 (3)”.

**\*b0535/2.6\* 414.** Page 1184, line 18: after that line insert:

**\*b0535/2.6\* “SECTION 2507d.** 79.044 of the statutes is created to read:

**79.044 Municipal aid for loss of manufacturing tax base. (1)** A municipality is eligible to receive a payment under sub. (2) if all of the following apply:

(a) The equalized value of taxable manufacturing personal and real property in the municipality represents at least 3.2 percent of the municipality’s total equalized value in 2005.

(b) The equalized value of taxable manufacturing personal and real property in the municipality declined by at least 2 percent from 2005 to 2006.

(c) The municipality had a 2005 full value tax rate for municipal purposes of at least one mill.

(2) In 2008, each eligible municipality under sub. (1) shall receive from the municipal aid account a payment determined as follows:

(a) Subtract the combined equalized value of taxable manufacturing personal and real property in the municipality in 2006 from the combined equalized value of taxable manufacturing personal and real property in the municipality in 2005.

(b) Multiply the amount determined under par. (a) by the municipality's 2005 full value tax rate for municipal purposes.

(3) In order to make the payments under sub. (2), the department of revenue shall reduce the payment under s. 79.043 in 2008 to each municipality by a uniform percentage that the department calculates by dividing the sum of all payments under sub. (2) by the total amount of the distribution to all municipalities in 2008 under s. 79.043.”.

**\*b0447/2.1\* 415.** Page 1190, line 21: after that line insert:

**\*b0447/2.1\* “SECTION 2523w.** 84.013 (3m) (d) of the statutes is created to read:

84.013 (3m) (d) If the department reconstructs any part of STH 78 located in the village of Merrimac in Sauk County and requires water and sewer utilities lying beneath this reconstructed part of STH 78 to be relocated to a lower depth, the department shall pay 75 percent of the cost of relocating these water and sewer utilities.”.

**\*b0420/3.3\* 416.** Page 1190, line 24: delete “subsection:” and substitute “subsection,”.

**\*b0420/3.4\* 417.** Page 1191, line 1: delete “1.”.

**\*b0420/3.5\* 418.** Page 1191, line 9: delete lines 9 to 14.

**\*b0420/3.7\* 419.** Page 1191, line 16: delete “are” and substitute “is”.

**\*b0420/3.6\* 420.** Page 1191, line 16: delete “and 3.”.

**\*b0420/3.8\* 421.** Page 1191, line 17: delete the material beginning with “Zoo” and ending with “the” on line 18.

**\*b0523/1.1\* 422.** Page 1191, line 18: after that line insert:

**\*b0523/1.1\* “SECTION 2528d.** 84.014 (5r) of the statutes is created to read:

84.014 (5r) Notwithstanding subs. (5) and (5m), no southeast Wisconsin freeway rehabilitation project may include the addition of any lane for vehicular traffic on I 94 adjacent to Wood National Cemetery, between Hawley Road and the Stadium interchange, in Milwaukee County.”.

**\*b0350/1.42\* 423.** Page 1194, line 12: after that line insert:

**\*b0350/1.42\* “SECTION 2535b.** 84.28 (1) of the statutes, as affected by 2007 Wisconsin Act .... (this act), is amended to read:

84.28 (1) Moneys from the appropriation under s. 20.370 (7) ~~(mr)~~ (mc) may be expended for the renovation, marking and maintenance of a town or county highway located within the boundaries of any state park, state forest or other property under the jurisdiction of the department of natural resources. Moneys from the appropriation under s. 20.370 (7) ~~(mr)~~ (mc) may be expended for the renovation, marking and maintenance of a town or county highway located in the Lower Wisconsin State Riverway as defined in s. 30.40 (15). Outside the Lower Wisconsin State Riverway as defined in s. 30.40 (15), or outside the boundaries of these parks, forests or property, moneys from the appropriation under s. 20.370 (7) ~~(mr)~~ (mc) may be expended for the renovation, marking and maintenance of roads which the

department of natural resources certifies are utilized by a substantial number of visitors to state parks, state forests or other property under the jurisdiction of the department of natural resources. The department of natural resources shall authorize expenditures under this subsection. The department of natural resources shall rank projects eligible for assistance under a priority system and funding may be restricted to those projects with highest priority.”.

**\*b0420/3.9\* 424.** Page 1194, line 20: delete “1”.

**\*b0351/1.2\* 425.** Page 1195, line 19: delete “\$2,708,341,000” and substitute “\$2,668,661,500”.

**\*b0373/P3.8\* 426.** Page 1196, line 3: after that line insert:

**\*b0373/P3.8\* “SECTION 2539.** 85.013 (2) (a) of the statutes is amended to read: 85.013 (2) (a) The secretary shall designate employees of the department as hearing examiners to preside over all hearings arising under ch. 344.”.

**\*b0328/2.3\* 427.** Page 1197, line 1: delete lines 1 to 5 and substitute:

**“85.037 Certification of fees collected.** ~~Annually, no later than October 1,~~ The secretary of transportation shall certify to the secretary of administration, no later than 14 days after the last day of each quarter of each fiscal year, the amount of fees collected under s. 342.14 (3m) during the previous fiscal year that quarter, for the purpose of determining the amounts to be transferred under s. 20.855 (4) (f) during the current fiscal year (rm). Notwithstanding s. 25.40 (3), no later than 14 days after the last day of each quarter of each fiscal year, the secretary of administration shall transfer, under s. 20.855 (4) (rm), from the transportation fund to the environmental fund the amount of fees collected under s. 342.14 (3m) during that quarter.”.



**\*b0351/1.3\* 428.** Page 1197, line 5: after that line insert:

**\*b0351/1.3\* “SECTION 2542p.** 85.045 of the statutes is created to read:

**85.045 Funding plan for next 10 years.** The department shall, with its submission of information under s. 16.42 for each biennial budget bill, submit to the department of administration and to the legislative fiscal bureau a plan for the following 10–year period that includes, for each fiscal year of the 10–year period, an estimate of total transportation fund revenues, the proposed types and amounts of bonds to be issued for transportation needs, the proposed expenditure amounts from bond proceeds for transportation needs, and estimated debt service related to repayment of these bonds. This 10–year plan shall include various funding scenarios for transportation needs showing different levels of transportation fund expenditures, from bond proceeds and from cash sources, and different levels of transportation fund revenues. At least one scenario shall reflect the achievement of a stable debt service percentage by the end of the 10–year period of the plan. If any scenario results in an increasing debt service percentage, the plan shall identify the estimated reduction of net revenues from this increasing debt service and the potential consequences for specific transportation–related programs resulting from these reduced net revenues.”.

**\*b0511/2.11\* 429.** Page 1197, line 5: after that line insert:

**\*b0511/2.11\* “SECTION 2542c.** 85.037 of the statutes, as affected by 2007 Wisconsin Act .... (this act), is amended to read:

**85.037 Certification of fees collected.** The secretary of transportation shall certify to the secretary of administration, no later than 14 days after the last day of each quarter of each fiscal year, the amount of fees collected under s. 342.14 (3m)

during that quarter, for the purpose of determining the amounts to be transferred under s. 20.855 (4) ~~(rm)~~ (f). Notwithstanding s. 25.40 (3), no later than 14 days after the last day of each quarter of each fiscal year, the secretary of administration shall transfer, under s. 20.855 (4) (rm), from the transportation fund to the environmental fund the amount of fees collected under s. 342.14 (3m) during that quarter.”.

**\*b0520/1.1\* 430.** Page 1197, line 9: after “Chicago.” insert “between the cities of Madison and Eau Claire.”.

**\*b0321/1.5\* 431.** Page 1198, line 7: delete “\$60,289,100” and substitute “\$63,784,700”.

**\*b0321/1.6\* 432.** Page 1198, line 8: delete “\$61,494,900” and substitute “\$65,299,200”.

**\*b0321/1.7\* 433.** Page 1198, line 22: delete “\$16,095,200” and substitute “\$16,754,000”.

**\*b0321/1.8\* 434.** Page 1198, line 23: delete “\$16,417,100” and substitute “\$17,158,400”.

**\*b0321/1.9\* 435.** Page 1199, line 8: delete “\$23,089,100” and substitute “\$24,034,400”.

**\*b0321/1.10\* 436.** Page 1199, line 9: delete “\$23,551,200” and substitute “\$24,614,500”.

**\*b0321/1.11\* 437.** Page 1199, line 15: delete “\$5,225,600” and substitute “\$5,440,500”.

**\*b0321/1.12\* 438.** Page 1199, line 16: delete “\$5,331,100” and substitute “\$5,571,800”.

- \*b0415/1.3\* 439.** Page 1202, line 4: delete “\$1,937” and substitute “\$1,956”.
- \*b0415/1.4\* 440.** Page 1202, line 4: delete “\$1,976” and substitute “\$2,015”.
- \*b0415/1.5\* 441.** Page 1202, line 10: delete “\$95,556,000” and substitute “\$96,492,900”.
- \*b0415/1.6\* 442.** Page 1202, line 10: delete “\$97,467,100” and substitute “\$99,387,700”.
- \*b0415/1.7\* 443.** Page 1202, line 17: delete “\$300,630,700” and substitute “\$303,578,100”.
- \*b0415/1.8\* 444.** Page 1202, line 17: delete “\$306,643,300” and substitute “\$312,685,400”.
- \*b0419/2.2\* 445.** Page 1202, line 25: delete “\$5,355,000” and substitute “\$5,381,300”.
- \*b0419/2.3\* 446.** Page 1202, line 25: delete “\$5,567,100” and substitute “\$5,515,800”.
- \*b0419/2.4\* 447.** Page 1203, line 7: delete “\$765,000” and substitute “\$768,700”.
- \*b0419/2.5\* 448.** Page 1203, line 8: delete “\$795,300” and substitute “\$788,000”.
- \*b0419/2.6\* 449.** Page 1203, line 16: delete “\$1,020,000” and substitute “\$1,025,000”.
- \*b0419/2.7\* 450.** Page 1203, line 16: delete “\$1,060,400” and substitute “\$1,050,600”.
- \*b0413/2.5\* 451.** Page 1205, line 13: after that line insert:

**\*b0413/2.5\* “SECTION 2593p.** 93.45 of the statutes is created to read:

**93.45 Buy local, buy Wisconsin.** The department shall conduct a program to increase awareness and consumption of locally produced foods and related products and to increase the production and improve the distribution of foods and related products for local consumption. In the program, the department shall emphasize the development of regional food and cultural tourism trails and the development of regional food systems through activities such as creating or expanding facilities for the processing and distribution of food for local consumption; creating or supporting networks of producers; and strengthening connections between producers, retailers, institutions, and consumers and nearby producers.

**\*b0413/2.5\* SECTION 2594c.** 93.48 of the statutes is created to read:

**93.48 Buy local grant program. (1)** The department may award grants from the appropriation under s. 20.115 (4) (am) to individuals or organizations to fund projects that are designed to increase the sale of agricultural products grown in this state that are purchased in close proximity to where they are produced. The department shall promulgate rules for the program under this section.

**(2)** The department may make grants under this section for any of the following purposes:

- (a) To create, promote, and support regional food and cultural tourism trails.
- (b) To promote the development of regional food systems through activities such as creating or expanding facilities for the processing and distribution of food for local consumption; creating or supporting networks of producers; and strengthening connections between producers, retailers, institutions, and consumers and nearby producers.”.

**\*b0478/2.2\* 452.** Page 1205, line 13: after that line insert:

**\*b0478/2.2\*** “SECTION 2592g. 93.23 (1) (a) 1. (intro.) of the statutes is amended to read:

93.23 (1) (a) 1. (intro.) To each county, and any organized agricultural society, association, or board in the state that complies with the requirements of this section, 50% of the amount actually paid in net premiums in the junior division 95 percent of the first \$8,000 paid in net premiums and 70 percent of all net premiums paid in excess of \$8,000 at its annual fair upon livestock, articles of production, educational exhibits, agricultural implements and tools, domestic manufactures, mechanical implements, and productions, but not more than \$10,000 per fair, subject to all of the following:”.

**\*b0539/1.3\* 453.** Page 1206, line 9: after that line insert:

**\*b0539/1.3\*** “SECTION 2594p. 93.60 of the statutes is created to read:

**93.60 Grazing lands conservation grant.** The department shall award a grant in each fiscal year, from the appropriation account under s. 20.115 (4) (s), for technical education and research under the Wisconsin grazing lands conservation initiative.”.

**\*b0471/5.49\* 454.** Page 1210, line 10: after that line insert:

**\*b0471/5.49\*** “SECTION 2606p. 100.45 (1) (dm) of the statutes is amended to read:

100.45 (1) (dm) “State agency” means any office, department, agency, institution of higher education, association, society or other body in state government created or authorized to be created by the constitution or any law which is entitled to expend moneys appropriated by law, including the legislature and the

courts, the Wisconsin Housing and Economic Development Authority, the Bradley Center Sports and Entertainment Corporation, the University of Wisconsin Hospitals and Clinics Authority, the Wisconsin Health and Educational Facilities Authority, the Wisconsin Aerospace Authority, and the Fox River Navigational System Authority, and the Healthy Wisconsin Authority.”.

**\*b0522/1.3\* 455.** Page 1210, line 11: delete lines 11 to 16.

**\*b0369/1.6\* 456.** Page 1221, line 22: after that line insert:

**\*b0369/1.6\* “SECTION 2647p.** 103.005 (10) of the statutes is amended to read:

103.005 (10) Except as provided in ss. 103.275 (2) (bm) and (br), 103.34 (10) (b) and (c), 103.91 (4) (b) and (c), 103.92 (6) and (7), 104.07 (5) and (6), and 105.13 (2) and (3), orders of the department under chs. 103 to 106 shall be subject to review in the manner provided in ch. 227.”.

**\*b0369/1.7\* 457.** Page 1221, line 24: after that line insert:

**\*b0369/1.7\* “SECTION 2649f.** 103.34 of the statutes is created to read:

**103.34 Regulation of traveling sales crews. (1) DEFINITIONS:** In this section:

(a) “Certificate of registration” means a certificate of registration issued under this section authorizing a person to employ traveling sales crew workers.

(b) “Disqualifying offense” means any of the following:

1. A violation of s. 125.07 (1) (a), (2) (a) 1. or 2., or (4) (a) or (b), 125.085 (3) (a) or (b), 125.09 (2), 961.41 (1) or (1m), 961.573, 961.574, or 961.575 or of a substantially similar federal law or law of another state, if the violation was committed in connection with or incident to any traveling sales crew activities.

2. A violation of s. 940.01, 940.02, 940.03, 940.05, 940.06, 940.07, 940.08, 940.09, 940.10, 940.19 (2), (4), (5), or (6), 940.21, 940.225 (1), (2), or (3), 940.23, 940.24, 940.25, 940.30, 940.305, 940.31, 943.02, 943.03, 943.04, 943.10, 943.30, 943.31, 943.32, 944.32, 944.33 (2), 944.34, 946.10, 948.02 (1) or (2), 948.025, 948.03 (2) or (3), 948.04, 948.05, 948.055, 948.06, 948.07, 948.075, 948.08, 948.085, 948.11 (2) (a) or (am), 948.12, 948.13, 948.21 (1), or 948.30 or of a substantially similar federal law or law of another state.

3. A violation of s. 943.20, 943.201, 943.203, 943.21, 943.23, 943.24 (2), 943.34, 943.50, 943.61, 943.62, or 943.70 or of a substantially similar federal law or law of another state, if the value of the property misappropriated is \$2,500 or more.

4. A violation of s. 100.18, 100.195, or 100.20, of a rule promulgated under any of those sections, or of a substantially similar federal law or law of another state.

(c) “Hazardous materials” has the meaning given in 49 USC 5102 (2).

(d) “Traveling sales crew” means 2 or more individuals who are employed as salespersons or in related support work, who travel together in a group, and who are absent overnight from their permanent places of residence for the purpose of selling goods or services to consumers from house to house, on any street, or in any other place that is open to the public. “Traveling sales crew” does not include 2 or more individuals who are traveling together for the purpose of participating in a trade show or convention or 2 or more immediate family members who are traveling together for the purpose of selling goods or services.

(e) “Traveling sales crew activities” means the sale of goods or services to consumers from house to house, on any street, or in any other place that is open to the public or related support work.

(f) “Traveling sales crew worker” means a member of a traveling sales crew.

**(2) REGISTRATION REQUIRED.** No person may employ, offer to employ, or otherwise recruit an individual to work as a traveling sales crew worker without first obtaining a certificate of registration from the department. To obtain a certificate of registration, a person shall complete an application under sub. (3) (a), meet the minimum requirements specified in sub. (3) (c) for issuance of a certificate of registration, and pay a registration fee determined by the department by rule promulgated under sub. (13). A certificate of registration is valid for 12 months unless sooner suspended, restricted, or revoked and is nontransferable. A registrant may renew a certificate of registration by submitting an application under sub. (3) (a) and paying the registration fee not less than 30 days before the expiration date of the certificate of registration.

**(3) APPLICATION FOR REGISTRATION.** (a) To obtain a certificate of registration, a person shall complete an application that contains all of the following information:

1. The name of the applicant, the address and telephone number of the applicant's principal place of business and, if the applicant is engaged in sales activities on behalf of a principal, the name, address, and telephone number of the principal.

2. If the applicant is a corporation, the date and place of the applicant's incorporation or, if the applicant is a limited liability company, the date and place of the applicant's organization.

3. The names and permanent home addresses of the proprietors, managing partners, managers, or principal officers of the applicant, together with proof of identification of those individuals, which may be in the form of a birth certificate, a valid operator's license issued under ch. 343 or under a comparable law of another state that contains a photograph of the license holder, or an identification card issued



under s. 343.50 or under a comparable law of another state that contains a photograph of the person identified.

4. The names, permanent home addresses, motor vehicle operator's license numbers, and dates of birth of all employees, agents, or representatives of the applicant who supervise or transport traveling sales crew workers, together with proof of identification of those individuals, as provided under subd. 3.

5. Information regarding the conviction record of all proprietors, managing partners, managers, or principal officers of the applicant, and of all employees, agents, or representatives of the applicant who supervise or transport traveling sales crew workers, and information regarding any violation by any of those individuals of s. 100.18, 100.195, or 100.20, of a rule promulgated under any of those sections or of a substantially similar federal law or law of another state.

6. The social security number or federal employer identification number of the applicant as provided in sub. (10) (a).

7. The type of sales activities to be performed and the nature of the goods or services to be sold by the traveling sales crew workers of the applicant. If the goods to be sold are magazine subscriptions, the applicant shall provide the names, addresses, and telephone numbers of the publishers of those magazines.

8. A statement identifying each motor vehicle that will be used to transport the applicant's traveling sales crew workers, including the type and license number of each motor vehicle, and documentation showing that each motor vehicle is in compliance with all state and federal safety standards that are applicable to the motor vehicle as provided in sub. (7) (a).

9. A statement indicating whether the duties of the applicant's traveling sales crew workers will include the storage, handling, or transportation of hazardous

materials or may result in any other exposure of those workers to hazardous materials and, if so, documentation showing that the applicant is in compliance with all state and federal safety standards that are applicable to the storage, handling, and transportation of the hazardous materials as provided in sub. (7) (b).

10. Any document required by the department to prove that the applicant has complied with the proof of financial responsibility requirement under sub. (4), the disclosure statement requirement under sub. (5), and the proof of insurance requirement under sub. (8).

11. Any other information that the department considers relevant to the protection of the health, safety, and welfare of the traveling sales crew workers employed by the applicant.

(b) 1. On receipt of an application under par. (a) and payment of the registration fee under sub. (2), the department of workforce development shall investigate the applicant to determine whether the applicant is qualified under par. (c) to receive a certificate of registration. That investigation shall include a criminal history search by the department of justice of all proprietors, managing partners, managers, or principal officers of the applicant, and of all employees, agents, or representatives of the applicant who supervise or transport traveling sales crew workers. That investigation shall also include a search by the department of workforce development to determine whether any of those individuals has committed a violation of s. 100.18, 100.195, or 100.20, of a rule promulgated under any of those sections, or of a substantially similar federal law or law of another state.

2. If the person being investigated is, or at any time within the 5 years preceding the date of the application has been, a nonresident or if the department of workforce development determines that any information obtained as a result of

the investigation under subd. 1. provides a reasonable basis for further investigation, the department of workforce development may require the person being investigated to be fingerprinted on 2 fingerprint cards, each bearing a complete set of the person's fingerprints. The department of justice may provide for the submission of the fingerprint cards to the federal bureau of investigation for the purposes of verifying the identification of the person and obtaining the person's criminal conviction record. The department of workforce development shall keep confidential all information received from the department of justice and the federal bureau of investigation under this subdivision.

(c) Subject to par. (d) and sub. (10) (b) and (c), after completing the investigation under par. (b), the department shall issue a certificate of registration to the applicant if the department determines that the applicant meets the minimum requirements under this section and rules promulgated under sub. (13) for issuance of a certificate of registration and is satisfied that the applicant will comply with this section and those rules.

(d) The department may deny, suspend, revoke, restrict, or refuse to renew a certificate of registration if the department determines that any of the following apply:

1. The applicant or registrant is not the real party in interest with respect to the application or certificate of registration, and the real party in interest has previously been denied issuance or renewal of a certificate of registration, has had a certificate of registration suspended, revoked, or restricted, or is not qualified to receive a certificate of registration under par. (c).

2. A proprietor, managing partner, manager, or principal officer of the applicant, or an employee, agent, or representative of the applicant who supervises

or transports traveling sales crew workers has been convicted of a disqualifying offense within the 5 years preceding the date of the application.

3. The applicant or registrant has made a material misrepresentation or false statement in the application for the certificate of registration.

4. The applicant or registrant has failed to notify the department of any change in the information submitted in the application as required under par. (e).

5. The applicant or registrant has failed to maintain proof of financial responsibility as required under sub. (4); failed to comply with the written disclosure statement requirements under sub. (5) (b); failed to pay wages, provide a statement, or keep, preserve, or furnish records as required under sub. (6); violated a safety standard under sub. (7); failed to maintain insurance coverage as required under sub. (8); engaged in a practice prohibited under sub. (9); employed a traveling sales crew worker in violation of sub. (11) (a) or (c) or failed to keep or furnish records as required under sub. (11) (b); failed to pay a penalty imposed under sub. (12) or to comply with an order of the department imposed as a result of a violation of this section or any rule promulgated under sub. (13); or otherwise failed to comply with this section or any rule promulgated under sub. (13).

(e) If any change occurs in any of the information submitted to the department under par. (a), the registrant shall notify the department of that change within 30 days after the change occurs.

(f) A registrant and all employees, agents, or representatives of a registrant who supervise or transport traveling sales crew workers shall carry at all times while engaging in traveling sales crew activities a copy of the registrant's certificate of registration and shall exhibit that copy upon the request of any deputy of the department, law enforcement officer, or person with whom the registrant, employee,

agent, or representative is doing business. Failure to exhibit that copy upon that request is prima facie evidence of a violation of this section.

**(4) FINANCIAL RESPONSIBILITY.** (a) An applicant shall establish proof of its ability to pay any compensation owed to a traveling sales crew worker employed by the applicant and any penalties that may be imposed under sub. (12).

(b) An applicant shall prove its ability to pay under par. (a) by maintaining one of the following commitments in an amount approved by the department, but not less than \$10,000, and in a form approved by the department:

1. A bond.
2. A certificate of deposit.
3. An escrow account.
4. An irrevocable letter of credit.

(c) The commitment described in par. (b) shall be established in favor of or made payable to the department, for the benefit of the state and any traveling sales crew worker who does not receive the compensation earned by the worker. The applicant shall file with the department any agreement, instrument, or other document necessary to enforce the commitment against the applicant or any relevant 3rd party, or both.

**(5) DISCLOSURE STATEMENT.** (a) At the time an individual is offered employment as a traveling sales crew worker or is otherwise recruited to work as a traveling sales crew worker, the employer shall provide the individual with a written disclosure statement of the terms of employment. If the individual accepts the offer of employment, the employer and the individual shall sign the written disclosure statement. A written disclosure statement shall include all of the following information:

1. The place or places of employment, stated with as much specificity as possible.
2. The compensation, including wage rates, commissions, bonuses, and contest awards, to be paid.
3. The type or types of work on which the individual may be employed.
4. The pay period and the manner in which compensation will be paid.
5. The number of days per week and hours per day that the individual may be required to engage in sales activities or related support work.
6. The nature and frequency of any employment–related meetings that the individual may be required to attend, the time of day of those meetings, and how compensation is paid for attendance at those meetings.
7. The period of employment, including the approximate beginning and ending dates of employment.
8. A description of the board, lodging, and other facilities to be provided by the employer to the individual and any costs to be charged to the individual for those facilities.
9. A description of the transportation to be provided by the employer to the individual and, if the employment will involve the storage, handling, or transportation of hazardous materials or may involve any other exposure to hazardous materials, a description of the hazardous materials.
10. Whether worker’s compensation is provided and, if so, the name and telephone number of the employee, agent, or representative of the employer to whom notice of a claim for worker’s compensation must be provided and the time period within which that notice must be provided.

(b) An employer of a traveling sales crew worker shall comply with the terms of a disclosure statement provided under par. (a). An employer may change the terms of a disclosure statement, but no change is effective until a supplemental disclosure statement is signed by the employer and the traveling sales crew worker. Any change to the terms of a disclosure statement may apply prospectively only.

**(6) PAYMENT OF COMPENSATION; DEDUCTIONS; STATEMENTS; RECORDS.** (a) An employer shall pay all compensation earned by a traveling sales crew worker on regular paydays designated in advance by the employer, but in no case less often than semimonthly. Compensation shall be paid in U.S. currency or by check or draft.

(b) An employer may deduct from a traveling sales crew worker's compensation the cost to the employer of furnishing board, lodging, or other facilities to the worker if the board, lodging, or other facilities are customarily furnished by the employer to the traveling sales crew workers of the employer; the amount deducted does not exceed the fair market value of the board, lodging, or other facilities and does not include any profit to the employer; and the traveling sales crew worker has previously authorized the deduction by signing a written disclosure statement under sub. (5) (a) that includes a description of the board, lodging, and other facilities to be provided and any costs to be charged to the worker for those facilities.

(c) An employer shall provide with each payment of compensation to a traveling sales crew worker a written statement itemizing the amount of gross and net compensation paid to the worker and the amount of and reason for each deduction from the amount of gross compensation. An employer shall keep records of the information specified in this paragraph with respect to each traveling sales crew worker of the employer, shall preserve those records for 3 years after the worker

leaves the employ of the employer, and shall furnish those records to the department on request.

(d) A traveling sales crew worker who is owed compensation may file a wage claim with the department under s. 109.09 (1) or may bring an action under s. 109.03 (5) without first filing a wage claim with the department.

**(7) WORKER SAFETY.** (a) An employer of a traveling sales crew worker shall maintain and operate, or cause to be maintained and operated, any motor vehicle used to transport a traveling sales crew worker in compliance with all state and federal safety standards that are applicable to the maintenance and operation of the motor vehicle, including any additional safety standards relating specifically to the transportation of traveling sales crew workers prescribed by the department by rule promulgated under sub. (13). In prescribing those additional safety standards, the department shall consider all of the following:

1. The types of motor vehicles that are commonly used to transport traveling sales crew workers.

2. The safe passenger-carrying capacity of those motor vehicles.

3. The extent to which a proposed safety standard would cause an undue burden to traveling sales crew employers.

4. Any safety standards prescribed by the federal secretary of transportation under 49 USC 13101 to 14915, 49 USC 30101 to 30170, and 49 USC 31101 to 31317 and any other chapter of title 49 of the United States Code that are applicable to the maintenance and operation of a motor vehicle that is commonly used to transport traveling sales crew workers.

(b) If the duties of a traveling sales crew worker include the storage, handling, or transportation of hazardous materials or may result in any other exposure of a



traveling sales crew worker to hazardous materials, the employer shall ensure that the hazardous materials are stored, handled, and transported, and that the traveling sales crew worker is trained in the safe storage, handling, and transportation of hazardous materials, in accordance with all state and federal safety standards that are applicable to the storage, handling, and transportation of hazardous materials or to exposure to hazardous materials, including any additional safety standards relating specifically to the storage, handling, and transportation of hazardous materials by traveling sales crew workers or to the exposure of traveling sales crews to hazardous materials prescribed by the department by rule promulgated under sub. (13). In prescribing those additional safety standards, the department shall consider all of the following:

1. The types of hazardous materials that are included in products commonly sold by traveling sales crews.

2. The extent to which a proposed safety standard would cause an undue burden to traveling sales crew employers.

3. Any safety standards prescribed by the federal secretary of transportation under 49 USC 5101 to 5128 or by the federal occupational safety and health administration under 29 USC 651 to 678 that are applicable to the storage, handling, and transportation of hazardous materials by a traveling sales crew worker or to any other exposure of a traveling sales crew worker to hazardous materials.

**(8) INSURANCE COVERAGE.** The employer of a traveling sales crew worker shall have in force a policy of insurance that insures the employer, in an amount prescribed by the department by rule promulgated under sub. (13), against liability for damages to persons and property arising out of the ownership or operation by the employer or by any employee, agent, or representative of the employer of a motor vehicle that

is used to transport a traveling sales crew worker and a policy of insurance that insures the employer, in an amount prescribed by the department by rule promulgated under sub. (13), against liability for damages to persons and property arising out of any negligent act or omission of the employer or of any employee, agent, or representative of the employer. If the employer is required under s. 102.28 (2) to provide worker's compensation coverage for its employees, the employer shall also provide that coverage.

**(9) PROHIBITED PRACTICES.** No employer of a traveling sales crew worker and no employee, agent, or representative of that employer who supervises or transports traveling sales crew workers may do any of the following:

(a) Employ or permit to work as a traveling sales crew worker a person under 18 years of age or employ or permit to work as a traveling sales crew worker a person 18 years of age or over who has been adjudged incompetent under ch. 54 without the permission of the person's guardian.

(b) Require a traveling sales crew worker to engage in any in-person sales or solicitation activities before 9 a.m. or after 9 p.m.

(c) Consider a traveling sales crew worker to be an independent contractor rather than an employee.

(d) Require a traveling sales crew worker to purchase any goods or services solely from the employer or to pay any of the employer's business expenses, except as permitted under sub. (6) (b).

(e) Abandon a traveling sales crew worker who is unable to work due to illness or injury or who is discharged from employment for reasons other than misconduct without providing for the return of the traveling sales crew worker to his or her permanent place of residence.

(f) Abandon a traveling sales crew worker who has been arrested and is being held in custody in connection with a violation of sub. (11) (a) 3. or a local ordinance regulating that conduct.

(g) Require a traveling sales crew worker to relinquish custody of any of his or her personal property to the employer, to any employee, agent, or representative of the employer who supervises or transports traveling sales crew workers, or to any other traveling sales crew worker of the employer.

(h) Prohibit or restrict a traveling sales crew worker from contacting any family member, friend, or other person while traveling with a traveling sales crew.

(i) Intentionally inflict or threaten to inflict any bodily harm on a traveling sales crew worker or damage to the property of a traveling sales crew worker as a means of discipline or motivation.

(j) Advise or counsel a traveling sales crew worker to make false representations to a person to whom he or she is offering goods or services concerning his or her motivation for selling those goods or services.

(k) Discharge or discriminate against any person for opposing a practice prohibited under this section. Section 111.322 (2m) applies to discharge and other discriminatory acts arising in connection with any proceeding under this section.

**(10) CHILD SUPPORT; DELINQUENT TAXES.** (a) 1. Except as provided in subd. 3., the department shall require each applicant for a certificate of registration who is an individual to provide the department with the applicant's social security number, and shall require each applicant for a certificate of registration who is not an individual to provide the department with the applicant's federal employer identification number, when initially applying for or applying to renew the certificate of registration.

2. If an applicant who is an individual fails to provide the applicant's social security number to the department or if an applicant who is not an individual fails to provide the applicant's federal employer identification number to the department, the department may not issue or renew a certificate of registration to or for the applicant unless the applicant is an individual who does not have a social security number and the applicant submits a statement made or subscribed under oath or affirmation as required under subd. 3.

3. If an applicant who is an individual does not have a social security number, the applicant shall submit a statement made or subscribed under oath or affirmation to the department that the applicant does not have a social security number. The form of the statement shall be prescribed by the department. A certificate of registration issued in reliance upon a false statement submitted under this subdivision is invalid.

4. The subunit of the department that obtains a social security number or a federal employer identification number under subd. 1. may not disclose the social security number or the federal employer identification number to any person except to the department of revenue for the sole purpose of requesting certifications under s. 73.0301 or on the request of the subunit of the department that administers the child and spousal support program under s. 49.22 (2m).

(b) The department shall deny, suspend, restrict, refuse to renew, or otherwise withhold a certificate of registration for failure of the applicant or registrant to pay court-ordered payments of child or family support, maintenance, birth expenses, medical expenses, or other expenses related to the support of a child or former spouse or for failure of the applicant or registrant to comply, after appropriate notice, with a subpoena or warrant issued by the department or a county child support agency

under s. 59.53 (5) and related to paternity or child support proceedings, as provided in a memorandum of understanding entered into under s. 49.857. Notwithstanding s. 103.005 (10), an action taken under this paragraph is subject to review only as provided in the memorandum of understanding entered into under s. 49.857 and not as provided in ch. 227.

(c) The department shall deny an application for the issuance or renewal of a certificate of registration, or revoke a certificate of registration already issued, if the department of revenue certifies under s. 73.0301 that the applicant or registrant is liable for delinquent taxes. Notwithstanding s. 103.005 (10), an action taken under this paragraph is subject to review only as provided under s. 73.0301 (5) and not as provided in ch. 227.

**(11) TRAVELING SALES CREW WORKER PERMITS.** (a) 1. No individual may be employed or permitted to work as a traveling sales crew worker unless the employer of the individual first obtains from the department a traveling sales crew worker permit for the individual as provided in this subdivision, and the individual first obtains from the department an identification card as provided in this subdivision. The traveling sales crew worker permit and identification card shall be in a form prescribed by the department, which form shall include at a minimum the name and permanent home address of the traveling sales crew worker and the name, address, and phone number of his or her employer.

2. An employer of a traveling sales crew worker and all employees, agents, or representatives of that employer who supervise or transport traveling sales crew workers shall carry at all times while engaged in traveling sales crew activities a copy of the permit obtained under subd. 1. for each traveling sales crew worker of the employer and shall exhibit that copy upon the request of any deputy of the

department, law enforcement officer, or person with whom the employer, employee, agent, or representative is doing business.

3. A traveling sales crew worker shall carry at all times while engaged in traveling sales crew activities the identification card obtained under subd. 1. and shall exhibit that card upon the request of any deputy of the department, law enforcement officer, or person with whom the traveling sales crew worker is doing business.

4. Failure to exhibit a copy of a permit upon request under subd. 2. or an identification card upon request under subd. 3. is prima facie evidence of a violation of this section.

(b) A traveling sales crew employer shall do all of the following:

1. Keep a copy of the permit obtained under par. (a) 1. for each traveling sales crew worker of the employer for at least 3 years after the traveling sales crew worker leaves the employ of the employer and allow the department to inspect those permits upon request.

2. Keep a list of the names of all cities, villages, or towns where traveling sales crew workers of the employer engaged in traveling sales crew activities within the last 3 years and allow the department to inspect that list upon request.

3. At the request of the department, provide a list of all cities, villages, or towns where the employer intends to employ traveling sales crew workers in traveling sales crew activities for the 6-month period beginning on the date of the request.

(c) Before an employer may permit a traveling sales crew worker of the employer to engage in traveling sales crew activities in any city, village, or town, the employer shall obtain from the clerk of the city, village, or town a stamp or endorsement on the permit obtained under par. (a) 1. of the traveling sales crew

worker. When an employer obtains that stamp or endorsement, the employer shall provide notice that traveling sales crew workers of the employer will be engaging in traveling sales crew activities in that city, village, or town to the following:

1. The local police department, if the city, village, or town has a police department.

2. To the sheriff of the county where the city, village, or town is located, if the city, village, or town does not have a police department.

(d) Law enforcement officers of counties, cities, villages, and towns shall assist the department in enforcing this section by questioning individuals seen engaging in traveling sales crew activities and reporting to the department all cases of individuals apparently engaging in traveling sales crew activities in violation of this section.

**(12) PENALTIES; ENFORCEMENT.** (a) Any person that engages in traveling sales crew activities in violation of this section, any rule promulgated under sub. (13), or any order issued under this section, that employs or permits the employment of any individual as a traveling sales crew worker in violation of this section, any rule promulgated under sub. (13), or any order issued under this section, or that hinders or delays the department or any law enforcement officer in the performance of their duties under this section, may be required to forfeit not less than \$25 nor more than \$1,000 for each day of a first offense and, for a 2nd or subsequent offense within 5 years, as measured from the dates the violations initially occurred, may be fined not less than \$250 nor more than \$5,000 for each day of the 2nd or subsequent offense or imprisoned not more than 30 days or both.

(b) In addition to the penalties under par. (a), any person that employs or permits the employment of any individual as a traveling sales crew worker in

violation of sub. (2), (5) (b), (9) (b), or (11) (a) or (c) shall be liable, in addition to the wages paid, to pay to each individual affected, an amount equal to twice the regular rate of pay as liquidated damages for all hours worked in violation per day or per week, whichever is greater.

(c) The department may refer violations of this section or of any rules promulgated under sub. (13) for prosecution by the department of justice or the district attorney of the county in which the violation occurred.

**(13) RULES.** The department shall promulgate rules to implement this section. Those rules shall include all of the following:

(a) A fee for obtaining a certificate of registration. The department shall determine the fee based on the cost of issuing certificates of registration.

(b) Minimum requirements for the issuance of a certificate of registration.

(c) Safety standards relating to the transportation of traveling sales crew workers, the storage, handling, and transportation of hazardous materials by traveling sales crews and any other exposure of a traveling sales crew worker to hazardous materials, and the training of traveling sales crews in the storage, handling, and transportation of hazardous materials.

(d) The amount of liability insurance that an employer of a traveling sales crew worker shall have in force under sub. (8).

**(14) NONAPPLICABILITY; NONPREEMPTION.** (a) This section does not apply to the employment of a person in a fund-raising sale for a nonprofit organization, as defined in s. 103.21 (2), a public school, as defined in s. 103.21 (5), or a private school, as defined in s. 103.21 (4).

(b) This section does not preempt a county, city, village, or town from enacting a local ordinance regulating traveling sales crew activities. To the extent that a local



ordinance regulates conduct that is regulated under this section, the local ordinance shall be at least as strict as the regulation of that conduct under this section.”.

**\*b0471/5.50\* 458.** Page 1223, line 12: after that line insert:

**\*b0471/5.50\* “SECTION 2651p.** 109.075 (9) of the statutes is created to read:  
109.075 (9) This section does not apply to an employer that ceases providing health care benefits to its employees because the employees are covered under the Healthy Wisconsin Plan under ch. 260.”.

**\*b0369/1.8\* 459.** Page 1228, line 9: after that line insert:

**\*b0369/1.8\* “SECTION 2661e.** 111.322 (2m) (a) of the statutes is amended to read:

111.322 (2m) (a) The individual files a complaint or attempts to enforce any right under s. 103.02, 103.10, 103.13, 103.28, 103.32, 103.34, 103.455, 103.50, 104.12, 109.03, 109.07, 109.075, or 146.997 or ss. 101.58 to 101.599 or 103.64 to 103.82.

**\*b0369/1.8\* SECTION 2661f.** 111.322 (2m) (b) of the statutes is amended to read:

111.322 (2m) (b) The individual testifies or assists in any action or proceeding held under or to enforce any right under s. 103.02, 103.10, 103.13, 103.28, 103.32, 103.34, 103.455, 103.50, 104.12, 109.03, 109.07, 109.075, or 146.997 or ss. 101.58 to 101.599 or 103.64 to 103.82.”.

**\*b0371/1.1\* 460.** Page 1228, line 9: after that line insert:

**\*b0371/1.1\* “SECTION 2662.** 111.70 (1) (b) of the statutes is amended to read:  
111.70 (1) (b) “Collective bargaining unit” means ~~a~~ the unit consisting of municipal employees who are school district professional employees or of municipal

~~employees who are not school district professional employees that is determined by the commission to be appropriate for the purpose of collective bargaining.~~

**\*b0371/1.1\* SECTION 2663.** 111.70 (1) (dm) of the statutes is repealed.

**\*b0371/1.1\* SECTION 2664.** 111.70 (1) (fm) of the statutes is repealed.”.

**\*b0371/1.2\* 461.** Page 1228, line 17: after that line insert:

**\*b0371/1.2\* “SECTION 2666.** 111.70 (1) (nc) of the statutes is repealed.

**\*b0371/1.2\* SECTION 2668.** 111.70 (4) (cm) 5s. of the statutes is repealed.

**\*b0371/1.2\* SECTION 2669.** 111.70 (4) (cm) 6. a. of the statutes is amended to read:

111.70 (4) (cm) 6. a. If in any collective bargaining unit a dispute relating to one or more issues, ~~qualifying for interest arbitration under subd. 5s. in a collective bargaining unit to which subd. 5s. applies,~~ has not been settled after a reasonable period of negotiation and after mediation by the commission under subd. 3. and other settlement procedures, if any, established by the parties have been exhausted, and the parties are deadlocked with respect to any dispute between them over wages, hours and conditions of employment to be included in a new collective bargaining agreement, either party, or the parties jointly, may petition the commission, in writing, to initiate compulsory, final and binding arbitration, as provided in this paragraph. At the time the petition is filed, the petitioning party shall submit in writing to the other party and the commission its preliminary final offer containing its latest proposals on all issues in dispute. Within 14 calendar days after the date of that submission, the other party shall submit in writing its preliminary final offer on all disputed issues to the petitioning party and the commission. If a petition is

filed jointly, both parties shall exchange their preliminary final offers in writing and submit copies to the commission at the time the petition is filed.

**\*b0371/1.2\* SECTION 2670.** 111.70 (4) (cm) 6. am. of the statutes is amended to read:

111.70 (4) (cm) 6. am. Upon receipt of a petition to initiate arbitration, the commission shall make an investigation, with or without a formal hearing, to determine whether arbitration should be commenced. If in determining whether an impasse exists the commission finds that the procedures set forth in this paragraph have not been complied with and such compliance would tend to result in a settlement, it may order such compliance before ordering arbitration. The validity of any arbitration award or collective bargaining agreement shall not be affected by failure to comply with such procedures. Prior to the close of the investigation each party shall submit in writing to the commission its single final offer containing its final proposals on all issues in dispute that are subject to interest arbitration under this subdivision ~~or under subd. 5s. in collective bargaining units to which subd. 5s. applies.~~ If a party fails to submit a single, ultimate final offer, the commission shall close the investigation based on the last written position of the party. ~~The municipal employer may not submit a qualified economic offer under subd. 5s. after the close of the investigation.~~ Such final offers may include only mandatory subjects of bargaining, except that a permissive subject of bargaining may be included by a party if the other party does not object and shall then be treated as a mandatory subject. No later than such time, the parties shall also submit to the commission a stipulation, in writing, with respect to all matters which are agreed upon for inclusion in the new or amended collective bargaining agreement. The commission, after receiving a report from its investigator and determining that arbitration should

be commenced, shall issue an order requiring arbitration and immediately submit to the parties a list of 7 arbitrators. Upon receipt of such list, the parties shall alternately strike names until a single name is left, who shall be appointed as arbitrator. The petitioning party shall notify the commission in writing of the identity of the arbitrator selected. Upon receipt of such notice, the commission shall formally appoint the arbitrator and submit to him or her the final offers of the parties. The final offers shall be considered public documents and shall be available from the commission. In lieu of a single arbitrator and upon request of both parties, the commission shall appoint a tripartite arbitration panel consisting of one member selected by each of the parties and a neutral person designated by the commission who shall serve as a chairperson. An arbitration panel has the same powers and duties as provided in this section for any other appointed arbitrator, and all arbitration decisions by such panel shall be determined by majority vote. In lieu of selection of the arbitrator by the parties and upon request of both parties, the commission shall establish a procedure for randomly selecting names of arbitrators. Under the procedure, the commission shall submit a list of 7 arbitrators to the parties. Each party shall strike one name from the list. From the remaining 5 names, the commission shall randomly appoint an arbitrator. Unless both parties to an arbitration proceeding otherwise agree in writing, every individual whose name is submitted by the commission for appointment as an arbitrator shall be a resident of this state at the time of submission and every individual who is designated as an arbitration panel chairperson shall be a resident of this state at the time of designation.

**\*b0371/1.2\* SECTION 2674.** 111.70 (4) (cm) 8m. a. and c. of the statutes are consolidated, renumbered 111.70 (4) (cm) 8m. and amended to read:

111.70 (4) (cm) 8m. ‘Term of agreement; reopening of negotiations.’ Except for the initial collective bargaining agreement between the parties and, except as the parties otherwise agree, every collective bargaining agreement covering municipal employees subject to this paragraph ~~other than school district professional employees~~ shall be for a term of 2 years. ~~No, but in no case may a collective bargaining agreement for any collective bargaining unit consisting of municipal employees subject to this paragraph other than school district professional employees shall be for a term exceeding 3 years.~~ e. No arbitration award may contain a provision for reopening of negotiations during the term of a collective bargaining agreement, unless both parties agree to such a provision. The requirement for agreement by both parties does not apply to a provision for reopening of negotiations with respect to any portion of an agreement that is declared invalid by a court or administrative agency or rendered invalid by the enactment of a law or promulgation of a federal regulation.

**\*b0371/1.2\* SECTION 2675.** 111.70 (4) (cm) 8m. b. of the statutes is repealed.

**\*b0371/1.2\* SECTION 2676.** 111.70 (4) (cm) 8p. of the statutes is repealed.

**\*b0371/1.2\* SECTION 2677.** 111.70 (4) (cm) 8s. of the statutes is repealed.

**\*b0371/1.2\* SECTION 2678.** 111.70 (4) (cn) of the statutes is repealed.

**\*b0371/1.2\* SECTION 2679.** 111.70 (4) (d) 2. a. of the statutes is amended to read:

111.70 (4) (d) 2. a. The commission shall determine the appropriate collective bargaining unit for the purpose of collective bargaining and shall whenever possible, unless otherwise required under this subchapter, avoid fragmentation by maintaining as few collective bargaining units as practicable in keeping with the size of the total municipal work force. In making such a determination, the commission

may decide whether, in a particular case, the municipal employees in the same or several departments, divisions, institutions, crafts, professions, or other occupational groupings constitute a collective bargaining unit. Before making its determination, the commission may provide an opportunity for the municipal employees concerned to determine, by secret ballot, whether or not they desire to be established as a separate collective bargaining unit. ~~The commission shall not decide, however, that any group of municipal employees constitutes an appropriate collective bargaining unit if the group includes both municipal employees who are school district professional employees and municipal employees who are not school district professional employees.~~ The commission shall not decide, however, that any other group of municipal employees constitutes an appropriate collective bargaining unit if the group includes both professional employees and nonprofessional employees, unless a majority of the professional employees vote for inclusion in the unit. The commission shall not decide that any group of municipal employees constitutes an appropriate collective bargaining unit if the group includes both craft employees and noncraft employees unless a majority of the craft employees vote for inclusion in the unit. The commission shall place the professional employees who are assigned to perform any services at a charter school, as defined in s. 115.001 (1), in a separate collective bargaining unit from a unit that includes any other professional employees whenever at least 30% of those professional employees request an election to be held to determine that issue and a majority of the professional employees at the charter school who cast votes in the election decide to be represented in a separate collective bargaining unit. Any vote taken under this subsection shall be by secret ballot.”.

**\*b0404/1.3\* 462.** Page 1228, line 17: after that line insert:

**\*b0404/1.3\*** “SECTION 2666e. 111.70 (4) (c) 2. of the statutes is renumbered 111.70 (4) (c) 2. a.

**\*b0404/1.3\*** SECTION 2666f. 111.70 (4) (c) 2. b. of the statutes is created to read:

111.70 (4) (c) 2. b. A collective bargaining agreement entered into between law enforcement and fire fighting personnel and a municipal employer may, notwithstanding s. 62.13 (5), contain dispute resolution procedures, including arbitration, that address the suspension, reduction in rank, suspension and reduction in rank, or removal of such personnel. If the procedures include arbitration, the arbitration hearing shall be public and the decision of the arbitrator shall be issued within 180 days of the conclusion of the hearing.

**\*b0404/1.3\*** SECTION 2679g. 111.70 (4) (m) (title) of the statutes is amended to read:

111.70 (4) (m) (title) *Prohibited subjects of bargaining: school district municipal employers.*

**\*b0404/1.3\*** SECTION 2679i. 111.70 (4) (mc) of the statutes is created to read:

111.70 (4) (mc) *Prohibited subjects of bargaining; fire fighting and law enforcement personnel.* In a bargaining unit containing fire fighting or law enforcement personnel, the municipal employer is prohibited from bargaining collectively with respect to:

1. The prohibition of access to arbitration as an alternative to the procedures in s. 62.13 (5).

2. The reduction of standards in s. 62.13 (5) (em) 1. to 7.

3. The payment of compensation in a way that is inconsistent with s. 62.13 (5) (h).”.

**\*b0471/5.52\* SECTION 2680j.** 111.91 (2) (pt) of the statutes is created to read:  
111.91 (2) (pt) Health care coverage of employees under the Healthy Wisconsin Plan under ch. 260.”.

**\*b0488/P1.18\* 463.** Page 1228, line 17: after that line insert:

**\*b0488/P1.18\* “SECTION 2681.** Subchapter VI of chapter 111 [precedes 111.95] of the statutes is created to read:

## **CHAPTER 111**

### **SUBCHAPTER VI**

#### **UNIVERSITY OF WISCONSIN SYSTEM**

##### **FACULTY AND ACADEMIC STAFF**

##### **LABOR RELATIONS**

**111.95 Declaration of policy.** The public policy of the state as to labor relations and collective bargaining involving faculty and academic staff at the University of Wisconsin System, in furtherance of which this subchapter is enacted, is as follows:

(1) The people of the state of Wisconsin have a fundamental interest in developing harmonious and cooperative labor relations within the University of Wisconsin System.

(2) It recognizes that there are 3 major interests involved: that of the public, that of the employee, and that of the employer. These 3 interests are to a considerable extent interrelated. It is the policy of this state to protect and promote each of these interests with due regard to the rights of the others.



**111.96 Definitions.** In this subchapter:

(1) “Academic staff” has the meaning given under s. 36.05 (1), but does not include any individual holding an appointment under s. 36.13 or 36.15 (2m) or who is appointed to a visiting faculty position.

(2) “Board” means the Board of Regents of the University of Wisconsin System.

(3) “Collective bargaining” means the performance of the mutual obligation of the state as an employer, by its officers and agents, and the representatives of its employees, to meet and confer at reasonable times, in good faith, with respect to the subjects of bargaining provided in s. 111.998 with the intention of reaching an agreement, or to resolve questions arising under such an agreement. The duty to bargain, however, does not compel either party to agree to a proposal or require the making of a concession. Collective bargaining includes the reduction of any agreement reached to a written and signed document.

(4) “Collective bargaining unit” means a unit established under s. 111.98 (1).

(5) “Commission” means the employment relations commission.

(6) “Election” means a proceeding conducted by the commission in which the employees in a collective bargaining unit cast a secret ballot for collective bargaining representatives, or for any other purpose specified in this subchapter.

(7) “Employee” includes:

(a) All faculty, including faculty who are supervisors or management employees but not including faculty who hold a limited appointment under s. 36.17 or deans.

(b) All academic staff, except for supervisors, management employees, and individuals who are privy to confidential matters affecting the employer–employee relationship.

**(8)** “Employer” means the state of Wisconsin.

**(9)** “Faculty” has the meaning given in s. 36.05 (8), except for an individual holding an appointment under s. 36.15 (1), (2), (2m), or (3).

**(10)** “Fair-share agreement” means an agreement between the employer and a labor organization representing employees under which all of the employees in a collective bargaining unit are required to pay their proportionate share of the cost of the collective bargaining process and contract administration measured by the amount of dues uniformly required of all members.

**(11)** “Institution” has the meaning given in s. 36.05 (9).

**(12)** “Labor dispute” means any controversy with respect to the subjects of bargaining provided in this subchapter.

**(13)** “Labor organization” means any employee organization whose purpose is to represent employees in collective bargaining with the employer, or its agents, on matters pertaining to terms and conditions of employment, but does not include any organization that does any of the following:

(a) Advocates the overthrow of the constitutional form of government in the United States.

(b) Discriminates with regard to the terms or conditions of membership because of race, color, creed, sex, age, sexual orientation, or national origin.

**(14)** “Maintenance of membership agreement” means an agreement between the employer and a labor organization representing employees that requires that all of the employees whose dues are being deducted from earnings under s. 20.921 (1) or 111.992 at or after the time the agreement takes effect shall continue to have dues deducted for the duration of the agreement and that dues shall be deducted from the

earnings of all employees who are hired on or after the effective date of the agreement.

**(15)** “Management employees” include those personnel engaged predominately in executive and managerial functions.

**(16)** “Office” means the office of state employment relations in the department of administration.

**(17)** “Referendum” means a proceeding conducted by the commission in which employees, or supervisors specified in s. 111.98 (5), in a collective bargaining unit may cast a secret ballot on the question of directing the labor organization and the employer to enter into a fair-share or maintenance of membership agreement or to terminate such an agreement.

**(18)** “Representative” includes any person chosen by an employee to represent the employee.

**(19)** “Strike” includes any strike or other concerted stoppage of work by employees, any concerted slowdown or other concerted interruption of operations or services by employees, or any concerted refusal to work or perform their usual duties as employees of the state.

**(20)** “Supervisor” means any individual whose principal work is different from that of the individual’s subordinates and who has authority, in the interest of the employer, to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward or discipline employees, or to adjust their grievances, or to authoritatively recommend such action, if the individual’s exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment.

**(21)** “Unfair labor practice” means any unfair labor practice specified in s. 111.991.

**111.965 Duties of the state. (1)** In the furtherance of this subchapter, the state shall be considered as a single employer. The board shall negotiate and administer collective bargaining agreements. To coordinate the employer position in the negotiation of agreements, the board shall maintain close liaison with the legislature and the office relative to the negotiation of agreements and the fiscal ramifications of those agreements. The board shall coordinate its collective bargaining activities with the office. The legislative branch shall act upon those portions of tentative agreements negotiated by the board that require legislative action.

**(2)** The board shall establish a collective bargaining capacity and shall represent the state in its responsibility as an employer under this subchapter. The board shall coordinate its actions with the director of the office.

**111.97 Rights of employees.** Employees shall have the right of self-organization and the right to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing under this subchapter, and to engage in lawful, concerted activities for the purpose of collective bargaining or other mutual aid or protection. Employees shall also have the right to refrain from any such activities.

**111.98 Collective bargaining units. (1)** Collective bargaining units for faculty and staff in the unclassified service of the state shall be structured with a collective bargaining unit for each of the following groups:

(a) Faculty of the University of Wisconsin–Madison.

(am) Faculty of the University of Wisconsin–Milwaukee.

(b) Faculty of the University of Wisconsin–Extension.

(bm) Faculty of the University of Wisconsin–Eau Claire.

- (c) Faculty of the University of Wisconsin–Green Bay.
- (cm) Faculty of the University of Wisconsin–La Crosse.
- (d) Faculty of the University of Wisconsin–Oshkosh.
- (dm) Faculty of the University of Wisconsin–Parkside.
- (e) Faculty of the University of Wisconsin–Platteville.
- (em) Faculty of the University of Wisconsin–River Falls.
- (f) Faculty of the University of Wisconsin–Stevens Point.
- (fm) Faculty of the University of Wisconsin–Stout.
- (g) Faculty of the University of Wisconsin–Superior.
- (gm) Faculty of the University of Wisconsin–Whitewater.
- (h) Faculty of the University of Wisconsin Colleges.
- (i) Academic staff of the University of Wisconsin–Madison.
- (im) Academic staff of the University of Wisconsin–Milwaukee.
- (j) Academic staff of the University of Wisconsin–Extension.
- (jm) Academic staff of the University of Wisconsin–Eau Claire.
- (k) Academic staff of the University of Wisconsin–Green Bay.
- (km) Academic staff of the University of Wisconsin–La Crosse.
- (L) Academic staff of the University of Wisconsin–Oshkosh.
- (Lm) Academic staff of the University of Wisconsin–Parkside.
- (m) Academic staff of the University of Wisconsin–Platteville.
- (mm) Academic staff of the University of Wisconsin–River Falls.
- (n) Academic staff of the University of Wisconsin–Stevens Point.
- (nm) Academic staff of the University of Wisconsin–Stout.
- (o) Academic staff of the University of Wisconsin–Superior.
- (om) Academic staff of the University of Wisconsin–Whitewater.

(p) Academic staff of the University of Wisconsin Colleges.

**(2)** (a) Notwithstanding sub. (1), 2 or more collective bargaining units described under sub. (1) (a) to (p) may be combined into a single unit. If 2 or more collective bargaining units seek to combine into a single collective bargaining unit, the commission shall, upon the petition of at least 30 percent of the employees in each unit, hold an election to determine whether a majority of those employees voting in each unit desire to combine into a single unit. A combined collective bargaining unit shall be formed including all employees from each of those units in which a majority of the employees voting in the election approve a combined unit. The combined collective bargaining unit shall be formed immediately if there is no existing collective bargaining agreement in force in any of the units to be combined. If there is a collective bargaining agreement in force at the time of the election in any of the collective bargaining units to be combined, the combined unit shall be formed upon expiration of the last agreement for the units concerned.

(b) If 2 or more collective bargaining units have combined under par. (a), the commission shall, upon petition of at least 30 percent of the employees in any of the original units, hold an election of the employees in the original unit to determine whether the employees in that unit desire to withdraw from the combined collective bargaining unit. If a majority of the employees voting desire to withdraw from the combined collective bargaining unit, separate units consisting of the unit in which the election was held and a unit composed of the remainder of the combined unit shall be formed. The new collective bargaining units shall be formed immediately if there is no collective bargaining agreement in force for the combined unit. If there is a collective bargaining agreement in force for the combined collective bargaining unit, the new units shall be formed upon the expiration of the agreement. While there is

a collective bargaining agreement in force for the combined collective bargaining unit, a petition for an election under this paragraph may be filed only during October in the calendar year prior to the expiration of the agreement.

(3) The commission shall assign employees to the appropriate collective bargaining units described under sub. (1) or (2).

(4) Any labor organization may petition for recognition as the exclusive representative of a collective bargaining unit described under sub. (1) or (2) in accordance with the election procedures under s. 111.990 if the petition is accompanied by a 30 percent showing of interest in the form of signed authorization cards. Any additional labor organization seeking to appear on the ballot shall file a petition within 60 days of the date of filing of the original petition and prove, through signed authorization cards, that at least 10 percent of the employees in the collective bargaining unit want it to be their representative.

(5) Although academic staff supervisors are not considered employees for the purpose of this subchapter, the commission may consider a petition for a statewide collective bargaining unit consisting of academic staff supervisors, but the representative of the supervisors may not be affiliated with any labor organization representing employees. For purposes of this subsection, affiliation does not include membership in a national, state, county, or municipal federation of national or international labor organizations. The certified representative of the supervisors may not bargain collectively with respect to any matter other than wages and fringe benefits.

**111.990 Representatives and elections.** (1) A representative chosen for the purposes of collective bargaining by a majority of the employees voting in a collective bargaining unit shall be the exclusive representative of all of the employees in such

unit for the purposes of collective bargaining. Any individual employee, or any minority group of employees in any collective bargaining unit, may present any grievance to the employer in person, or through representatives of their own choosing, and the employer shall confer with the individual employee or group of employees with respect to the grievance if the majority representative has been afforded the opportunity to be present at the conference. Any adjustment resulting from such a conference may not be inconsistent with the conditions of employment established by the majority representative and the employer.

**(2)** Whenever a question arises concerning the representation of employees in a collective bargaining unit, the commission shall determine the representation by taking a secret ballot of the employees and certifying in writing the results to the interested parties and to the board. There shall be included on any ballot for the election of representatives the names of all labor organizations having an interest in representing the employees participating in the election as indicated in petitions filed with the commission. The name of any existing representative shall be included on the ballot without the necessity of filing a petition. The commission may exclude from the ballot one who, at the time of the election, stands deprived of his or her rights under this subchapter by reason of a prior adjudication of his or her having engaged in an unfair labor practice. The ballot shall be so prepared as to permit a vote against representation by anyone named on the ballot. For elections in a collective bargaining unit composed of employees who are members of the faculty or academic staff, whenever more than one representative qualifies to appear on the ballot, the ballot shall be prepared to provide separate votes on 2 questions. The first question shall be: “Shall the employees of the ... (name of collective bargaining unit) participate in collective bargaining?”. The 2nd question shall be: “If the employees



of the ... (name of collective bargaining unit) elect to participate in collective bargaining, which labor organization do you favor to act as representative of the employees?”. The 2nd question shall not include a choice for no representative. All employees in the collective bargaining unit may vote on both questions. Unless a majority of those employees voting in the election vote to participate in collective bargaining, no votes for a particular representative may be counted. If a majority of those employees voting in the election vote to participate in collective bargaining, the ballots for representatives shall be counted. The commission’s certification of the results of any election is conclusive as to the findings included therein unless reviewed under s. 111.07 (8).

**(3)** Whenever an election has been conducted under sub. (2) in which a majority of the employees voting indicate a desire to participate in collective bargaining but in which no named representative is favored by a majority of the employees voting, the commission may, if requested by a party to the proceeding within 30 days from the date of the certification of the results of the election, conduct a runoff election. In that runoff election, the commission shall drop from the ballot the name of the representative who received the least number of votes at the original election.

**(4)** While a collective bargaining agreement between a labor organization and an employer is in force under this subchapter, a petition for an election in the collective bargaining unit to which the agreement applies may be filed only during October in the calendar year prior to the expiration of that agreement. An election held under that petition may be held only if the petition is supported by proof that at least 30 percent of the employees in the collective bargaining unit desire a change or discontinuance of existing representation. Within 60 days of the time that an original petition is filed, another petition may be filed supported by proof that at least

10 percent of the employees in the same collective bargaining unit desire a different representative. If a majority of the employees in the collective bargaining unit vote for a change or discontinuance of representation by any named representative, the decision takes effect upon expiration of any existing collective bargaining agreement between the employer and the existing representative.

**111.991 Unfair labor practices. (1)** It is an unfair labor practice for an employer individually or in concert with others:

(a) To interfere with, restrain, or coerce employees in the exercise of their rights guaranteed under s. 111.97.

(b) Except as otherwise provided in this paragraph, to initiate, create, dominate, or interfere with the formation or administration of any labor or employee organization or contribute financial support to it. Except as provided in ss. 40.02 (22) (e) and 40.23 (1) (f) 4., no change in any law affecting the Wisconsin Retirement System under ch. 40 and no action by the employer that is authorized by such a law is a violation of this paragraph unless an applicable collective bargaining agreement specifically prohibits the change or action. No such change or action affects the continuing duty to bargain collectively regarding the Wisconsin Retirement System under ch. 40 to the extent required by s. 111.998. It is not an unfair labor practice for the employer to reimburse an employee at his or her prevailing wage rate for the time spent during the employee's regularly scheduled hours conferring with the employer's officers or agents and for attendance at commission or court hearings necessary for the administration of this subchapter.

(c) To encourage or discourage membership in any labor organization by discrimination in regard to hiring, tenure, or other terms or conditions of

employment. This paragraph does not apply to fair-share or maintenance of membership agreements.

(d) To refuse to bargain collectively on matters set forth in s. 111.998 with a representative of a majority of its employees in an appropriate collective bargaining unit. Whenever the employer has a good faith doubt as to whether a labor organization claiming the support of a majority of its employees in an appropriate collective bargaining unit does in fact have that support, it may file with the commission a petition requesting an election as to that claim. The employer is not considered to have refused to bargain until an election has been held and the results of the election are certified to the employer by the commission. A violation of this paragraph includes the refusal to execute a collective bargaining agreement previously orally agreed upon.

(e) To violate any collective bargaining agreement previously agreed upon by the parties with respect to wages, hours, and conditions of employment affecting the employees, including an agreement to arbitrate or to accept the terms of an arbitration award, when previously the parties have agreed to accept such award as final and binding upon them.

(f) To deduct labor organization dues from an employee's earnings, unless the employer has been presented with an individual order therefor, signed by the employee personally, and terminable by at least the end of any year of its life or earlier by the employee giving at least 30 but not more than 120 days written notice of such termination to the employer and to the representative labor organization, except if there is a fair-share or maintenance of membership agreement in effect. The employer shall give notice to the labor organization of receipt of such notice of termination.

**(1m)** Notwithstanding sub. (1), it is not an unfair labor practice for the board to implement changes in salaries or conditions of employment for members of the faculty or academic staff at one institution, and not for other members of the faculty or academic staff at another institution, but this may be done only if the differential treatment is based on comparisons with the compensation and working conditions of employees performing similar services for comparable higher education institutions or based upon other competitive factors.

**(2)** It is unfair practice for an employee individually or in concert with others:

(a) To coerce or intimidate an employee in the enjoyment of the employee's legal rights, including those guaranteed under s. 111.97.

(b) To coerce, intimidate, or induce any officer or agent of the employer to interfere with any of the employer's employees in the enjoyment of their legal rights including those guaranteed under s. 111.97 or to engage in any practice with regard to its employees which would constitute an unfair labor practice if undertaken by the officer or agent on the officer's or agent's own initiative.

(c) To refuse to bargain collectively on matters specified in s. 111.998 with the authorized officer or agent of the employer that is the recognized or certified exclusive collective bargaining representative of employees in an appropriate collective bargaining unit. Such refusal to bargain shall include a refusal to execute a collective bargaining agreement previously orally agreed upon.

(d) To violate the provisions of any written agreement with respect to terms and conditions of employment affecting employees, including an agreement to arbitrate or to accept the terms of an arbitration award, when previously the parties have agreed to accept such awards as final and binding upon them.

(e) To engage in, induce, or encourage any employees to engage in a strike or a concerted refusal to work or perform their usual duties as employees.

(f) To coerce or intimidate a supervisory employee, officer, or agent of the employer, working at the same trade or profession as the employer's employees, to induce the person to become a member of or act in concert with the labor organization of which the employee is a member

**(3)** It is an unfair labor practice for any person to do or cause to be done on behalf of or in the interest of employers or employees, or in connection with or to influence the outcome of any controversy as to employment relations, any act prohibited by subs. (1) and (2).

**(4)** Any controversy concerning unfair labor practices may be submitted to the commission as provided in s. 111.07, except that the commission shall schedule a hearing on complaints involving alleged violations of sub. (2) (e) within 3 days after filing of a complaint, and notice shall be given to each party interested by service on the party personally, or by telegram, advising the party of the nature of the complaint and of the date, time, and place of hearing. The commission may appoint a substitute tribunal to hear unfair labor practice charges by either appointing a 3-member panel or submitting a 7-member panel to the parties and allowing each to strike 2 names. Any such panel shall report its finding to the commission for appropriate action.

**111.992 Fair-share and maintenance of membership agreements. (1)**

(a) No fair-share or maintenance of membership agreement may become effective unless authorized by a referendum. The commission shall order a referendum whenever it receives a petition supported by proof that at least 30 percent of the employees or supervisors specified in s. 111.98 (5) in a collective bargaining unit desire that a fair-share or maintenance of membership agreement be entered into

between the employer and a labor organization. A petition may specify that a referendum is requested on a maintenance of membership agreement only, in which case the ballot shall be limited to that question.

(b) For a fair–share agreement to be authorized, at least two–thirds of the eligible employees or supervisors voting in a referendum shall vote in favor of the agreement. For a maintenance of membership agreement to be authorized, at least a majority of the eligible employees or supervisors voting in a referendum shall vote in favor of the agreement. In a referendum on a fair–share agreement, if less than two–thirds but more than one–half of the eligible employees or supervisors vote in favor of the agreement, a maintenance of membership agreement is authorized.

(c) If a fair–share or maintenance of membership agreement is authorized in a referendum, the employer shall enter into such an agreement with the labor organization named on the ballot in the referendum. Each fair–share or maintenance of membership agreement shall contain a provision requiring the employer to deduct the amount of dues as certified by the labor organization from the earnings of the employees or supervisors affected by the agreement and to pay the amount so deducted to the labor organization. Unless the parties agree to an earlier date, the agreement shall take effect 60 days after certification by the commission that the referendum vote authorized the agreement. The employer shall be held harmless against any claims, demands, suits and other forms of liability made by employees or supervisors or local labor organizations which may arise for actions taken by the employer in compliance with this section. All such lawful claims, demands, suits and other forms of liability are the responsibility of the labor organization entering into the agreement.

(d) Under each fair–share or maintenance of membership agreement, an employee or supervisor who has religious convictions against dues payments to a labor organization based on teachings or tenets of a church or religious body of which he or she is a member shall, on request to the labor organization, have his or her dues paid to a charity mutually agreed upon by the employee or supervisor and the labor organization. Any dispute concerning this paragraph may be submitted to the commission for adjudication.

**(2)** (a) Once authorized, a fair–share or maintenance of membership agreement shall continue in effect, subject to the right of the employer or labor organization concerned to petition the commission to conduct a new referendum. Such a petition must be supported by proof that at least 30 percent of the employees or supervisors in the collective bargaining unit desire that the fair–share or maintenance of membership agreement be discontinued. Upon so finding, the commission shall conduct a new referendum. If the continuance of the fair–share or maintenance of membership agreement is approved in the referendum by at least the percentage of eligible voting employees or supervisors required for its initial authorization, it shall be continued in effect, subject to the right of the employer or labor organization to later initiate a further vote following the procedure prescribed in this subsection. If the continuation of the agreement is not supported in any referendum, it is considered terminated at the termination of the collective bargaining agreement, or one year from the date of the certification of the result of the referendum, whichever is earlier.

(b) The commission shall declare any fair–share or maintenance of membership agreement suspended upon such conditions and for such time as the commission decides whenever it finds that the labor organization involved has

refused on the basis of race, color, sexual orientation, or creed to receive as a member any employee or supervisor in the collective bargaining unit involved, and the agreement shall be made subject to the findings and orders of the commission. Any of the parties to the agreement, or any employee or supervisor covered under the agreement, may come before the commission, as provided in s. 111.07, and petition the commission to make such a finding.

**(3)** A stipulation for a referendum executed by an employer and a labor organization may not be filed until after the representation election has been held and the results certified.

**(4)** The commission may, under rules adopted for that purpose, appoint as its agent an official of a state agency whose employees are entitled to vote in a referendum to conduct a referendum under this section.

**111.993 Grievance arbitration.** **(1)** Parties to the dispute pertaining to the interpretation of a collective bargaining agreement may agree in writing to have the commission or any other appointing state agency serve as arbitrator or may designate any other competent, impartial, and disinterested persons to so serve. Such arbitration proceedings shall be governed by ch. 788.

**(2)** The board shall charge an institution for the employer's share of the cost related to grievance arbitration under sub. (1) for any arbitration that involves one or more employees of the institution. Each institution so charged shall pay the amount that the board charges from the appropriation account or accounts used to pay the salary of the grievant. Funds received under this subsection shall be credited to the appropriation account under s. 20.545 (1) (km).

**111.994 Mediation.** The commission may appoint any competent, impartial, disinterested person to act as mediator in any labor dispute either upon its own



initiative or upon the request of one of the parties to the dispute. It is the function of a mediator to bring the parties together voluntarily under such favorable auspices as will tend to effectuate settlement of the dispute, but neither the mediator nor the commission shall have any power of compulsion in mediation proceedings.

**111.995 Fact–finding. (1)** If a dispute has not been settled after a reasonable period of negotiation and after the settlement procedures, if any, established by the parties have been exhausted, the representative that has been certified by the commission after an election, as the exclusive representative of employees in an appropriate bargaining unit, and the employer, its officers, and agents, after a reasonable period of negotiation, are deadlocked with respect to any dispute between them arising in the collective bargaining process, the parties jointly may petition the commission, in writing, to initiate fact–finding under this section, and to make recommendations to resolve the deadlock.

**(2)** Upon receipt of a petition to initiate fact–finding, the commission shall make an investigation with or without a formal hearing, to determine whether a deadlock in fact exists. The commission shall certify the results of the investigation. If the commission decides that fact–finding should be initiated, it shall appoint a qualified, disinterested person or, when jointly requested by the parties, a 3–member panel to function as a fact finder.

**(3)** The fact finder may establish dates and place of hearings and shall conduct the hearings under rules established by the commission. Upon request, the commission shall issue subpoenas for hearings conducted by the fact finder. The fact finder may administer oaths. Upon completion of the hearing, the fact finder shall make written findings of fact and recommendations for solution of the dispute and shall cause the same to be served on the parties and the commission. In making

findings and recommendations, the fact finder shall take into consideration among other pertinent factors the principles vital to the public interest in efficient and economical governmental administration. Upon the request of either party the fact finder may orally present the recommendations in advance of service of the written findings and recommendations. Cost of fact-finding proceedings shall be divided equally between the parties. At the time the fact finder submits a statement of his or her costs to the parties, the fact finder shall submit a copy thereof to the commission at its Madison office.

**(4)** A fact finder may mediate a dispute at any time prior to the issuance of the fact finder's recommendations.

**(5)** Within 30 days of the receipt of the fact finder's recommendations or within a time period mutually agreed upon by the parties, each party shall advise the other, in writing, as to the party's acceptance or rejection, in whole or in part, of the fact finder's recommendations and, at the same time, send a copy of the notification to the commission at its Madison office. Failure to comply with this subsection, by the employer or employee representative, is a violation of s. 111.991 (1) (d) or (2) (c).

**111.996 Strike prohibited.** **(1)** Upon establishing that a strike is in progress, the employer may either seek an injunction or file an unfair labor practice charge with the commission under s. 111.991 (2) (e) or both. It is the responsibility of the board to decide whether to seek an injunction or file an unfair labor practice charge. The existence of an administrative remedy does not constitute grounds for denial of injunctive relief.

**(2)** The occurrence of a strike and the participation in the strike by an employee do not affect the rights of the employer, in law or in equity, to deal with the strike, including all of the following:

(a) The right to impose discipline, including discharge, or suspension without pay, of any employee participating in the strike.

(b) The right to cancel the reinstatement eligibility of any employee engaging in the strike.

(c) The right of the employer to request the imposition of fines, either against the labor organization or the employee engaging in the strike, or to sue for damages because of such strike activity.

**111.997 Management rights.** Nothing in this subchapter shall interfere with the right of the board, in accordance with this subchapter to do any of the following:

(1) Carry out the statutory mandate and goals assigned to the board by the most appropriate and efficient methods and means and utilize personnel in the most appropriate and efficient manner possible.

(2) Suspend, demote, discharge, or take other appropriate disciplinary action against the employee; or to lay off employees in the event of lack of work or funds or under conditions where continuation of such work would be inefficient and nonproductive.

**111.998 Subjects of bargaining.** (1) (a) Except as provided in pars. (b) to (f), matters subject to collective bargaining to the point of impasse are salaries; fringe benefits consistent with sub. (2); and hours and conditions of employment.

(b) The board is not required to bargain on management rights under s. 111.997, except that procedures for the adjustment or settlement of grievances or disputes arising out of any type of disciplinary action in s. 111.997 (2) is a subject of bargaining.

(c) The board is prohibited from bargaining on matters contained in sub. (2).

(d) Except as provided in sub. (2) (d) and (e) and ss. 40.02 (22) (e) and 40.23 (1) (f) 4., all laws governing the Wisconsin Retirement System under ch. 40 and all actions of the board that are authorized under any such law which apply to nonrepresented individuals employed by the state shall apply to similarly situated employees, unless otherwise specifically provided in a collective bargaining agreement that applies to those employees.

(e) Demands relating to retirement and group insurance shall be submitted to the board at least one year prior to commencement of negotiations.

(f) The board is not required to bargain on matters related to employee occupancy of houses or other lodging provided by the state.

**(2)** The board is prohibited from bargaining on:

(a) The mission and goals of the board as set forth in the statutes; the diminution of the right of tenure provided the faculty under s. 36.13, the rights granted faculty under s. 36.09 (4) and academic staff under s. 36.09 (4m), or the rights of appointment provided academic staff under s. 36.15; or academic freedom.

(b) Amendments to this subchapter.

(c) Family leave and medical leave rights below the minimum afforded under s. 103.10. Nothing in this paragraph prohibits the board from bargaining on rights to family leave or medical leave which are more generous to the employee than the rights provided under s. 103.10.

(d) An increase in benefit adjustment contribution rates under s. 40.05 (2n) (a) 3.

(e) The rights of employees to have retirement benefits computed under s. 40.30.

(f) Honesty testing requirements that provide fewer rights and remedies to employees than are provided under s. 111.37.

(h) Creditable service to which s. 40.285 (2) (b) 4. applies.

(i) Compliance with the health benefit plan requirements under ss. 632.746 (1) to (8) and (10), 632.747, and 632.748.

(j) Compliance with the insurance requirements under s. 631.95.

(k) The definition of earnings under s. 40.02 (22).

(L) The maximum benefit limitations under s. 40.31

(m) The limitations on contributions under s. 40.32.

(n) The provision to employees of the health insurance coverage required under s. 632.895 (11) to (14).

(o) The requirements related to coverage of and prior authorization for treatment of an emergency medical condition under s. 632.85.

(p) The requirements related to coverage of drugs and devices under s. 632.853.

(q) The requirements related to experimental treatment under s. 632.855.

(r) The requirements under s. 609.10 related to offering a point-of-service option plan.

(s) The requirements related to internal grievance procedures under s. 632.83 and independent review of certain health benefit plan determinations under s. 632.835.

**111.999 Labor proposals.** The board shall notify and consult with the joint committee on employment relations, in such form and detail as the committee requests, regarding substantial changes in wages, employee benefits, personnel management, and program policy contract provisions to be included in any contract

proposal to be offered to any labor organization by the state or to be agreed to by the state before such proposal is actually offered or accepted.

**111.9991 Agreements. (1)** Any tentative agreement reached between the board, acting for the state, and any labor organization representing a collective bargaining unit specified in s. 111.98 shall, after official ratification by the labor organization, be submitted by the board to the joint committee on employment relations, which shall hold a public hearing before determining its approval or disapproval. If the committee approves the tentative agreement, it shall introduce in a bill or companion bills, to be put on the calendar or referred to the appropriate scheduling committee of each house, that portion of the tentative agreement which requires legislative action for implementation, such as salary and wage adjustments, changes in fringe benefits, and any proposed amendments, deletions, or additions to existing law. Such bill or companion bills are not subject to ss. 13.093 (1), 13.50 (6) (a) and (b), and 16.47 (2). The committee may, however, submit suitable portions of the tentative agreement to appropriate legislative committees for advisory recommendations on the proposed terms. The committee shall accompany the introduction of such proposed legislation with a message that informs the legislature of the committee's concurrence with the matters under consideration and that recommends the passage of such legislation without change. If the joint committee on employment relations does not approve the tentative agreement, it shall be returned to the parties for renegotiation. If the legislature does not adopt without change that portion of the tentative agreement introduced by the joint committee on employment relations, the tentative agreement shall be returned to the parties for renegotiation.

**(2)** No portion of any tentative agreement shall become effective separately.

(3) Agreements shall coincide with the fiscal year or biennium.

(4) The negotiation of collective bargaining agreements and their approval by the parties should coincide with the overall fiscal planning and processes of the state.

(5) All compensation adjustments for employees shall be effective on the beginning date of the pay period nearest the statutory or administrative date.

**111.9992 Status of existing benefits and rights.** Unless a prohibited subject of bargaining under s. 111.998 (2), and except as provided in ss. 7.33 (4), 40.05, 40.80 (3), 111.998 (1) (d), and 230.35 (2d) and (3) (e) 6., all statutes and rules governing the salaries, fringe benefits, hours, and conditions of employment apply to each employee, unless otherwise provided in a collective bargaining agreement.

**111.9993 Rules, transcripts, fees.** (1) The commission may adopt reasonable and proper rules relative to the exercise of its powers and authority and proper rules to govern its proceedings and to regulate the conduct of all elections and hearings under this subchapter. The commission shall, upon request, provide a transcript of a proceeding to any party to the proceeding for a fee, established by rule, by the commission at a uniform rate per page. All transcript fees shall be credited to the appropriation account under s. 20.425 (1) (i).

(2) The commission shall assess and collect a filing fee for filing a complaint alleging that an unfair labor practice has been committed under s. 111.991. The commission shall assess and collect a filing fee for filing a request that the commission act as an arbitrator to resolve a dispute involving the interpretation or application of a collective bargaining agreement under s. 111.993. The commission shall assess and collect a filing fee for filing a request that the commission initiate fact-finding under s. 111.995. The commission shall assess and collect a filing fee for filing a request that the commission act as a mediator under s. 111.994. For the

performance of commission actions under ss. 111.993, 111.994, and 111.995, the commission shall require that the parties to the dispute equally share in the payment of the fee and, for the performance of commission actions involving a complaint alleging that an unfair labor practice has been committed under s. 111.991, the commission shall require that the party filing the complaint pay the entire fee. If any party has paid a filing fee requesting the commission to act as a mediator for a labor dispute and the parties do not enter into a voluntary settlement of the labor dispute, the commission may not subsequently assess or collect a filing fee to initiate fact-finding to resolve the same labor dispute. If any request concerns issues arising as a result of more than one unrelated event or occurrence, each such separate event or occurrence shall be treated as a separate request. The commission shall promulgate rules establishing a schedule of filing fees to be paid under this subsection. Fees required to be paid under this subsection shall be paid at the time of filing the complaint or the request for fact-finding, mediation, or arbitration. A complaint or request for fact-finding, mediation, or arbitration is not filed until the date such fee or fees are paid. Fees collected under this subsection shall be credited to the appropriation account under s. 20.425 (1) (i).”.

**\*b0506/2.3\* 464.** Page 1229, line 11: after that line insert:

**\*b0506/2.3\* “SECTION 2683m.** 115.28 (46) of the statutes is created to read:

115.28 (46) GRANTS FOR NURSING SERVICES. From the appropriation under s. 20.255 (2) (dL), annually award grants to school districts, other than the school district operating under ch. 119, to employ additional school nurses or contract for additional nursing services. The state superintendent shall award grants to those school districts that demonstrate the greatest need for such services based upon



criteria such as the ratio of pupils to nurses, the rate of chronic health problems among pupils, and the number of pupils from low-income families. A school district receiving a grant may not use the money to supplant existing nursing staff or services. Each school district receiving a grant shall submit a report to the department describing how the school district used the money and its effectiveness in providing additional nursing services to pupils who need such services.”.

**\*b0541/1.3\* 465.** Page 1234, line 11: after that line insert:

**\*b0541/1.3\* “SECTION 2708m.** 115.436 of the statutes is created to read:

**115.436 Sparsity aid. (1)** In this section, “membership” has the meaning given in s. 121.004 (5).

**(2)** A school district is eligible for sparsity aid under this section if it satisfies all of the following criteria:

(a) The school district’s membership in the previous school year was no more than 725.

(b) At least 20 percent of the school district’s membership in the previous school year was eligible for a free or reduced-price lunch under 42 USC 1758 (b).

(c) The school district’s membership in the previous school year divided by the school district’s area in square miles is less than 10.

**(3) (a)** The department shall pay to each school district eligible for sparsity aid the following amount from the appropriation under s. 20.255 (2) (ae), subject to par.

(b):

1. If less than 50 percent of the school district’s membership in the previous school year was eligible for a free or reduced-price lunch under 42 USC 1758 (b), \$150 multiplied by the membership in the previous school year.

2. If 50 percent or more of the school district's membership in the previous school year was eligible for a free or reduced-price lunch under 42 USC 1758 (b), \$300 multiplied by the membership in the previous school year.

(b) If the appropriation under s. 20.255 (2) (ae) in any fiscal year is insufficient to pay the full amount under par. (a), the department shall prorate the payments among the eligible school districts.”.

**\*b0534/1.3\* 466.** Page 1235, line 20: after that line insert:

**\*b0534/1.3\* “SECTION 2711d.** 115.881 (4) of the statutes is created to read:

115.881 (4) A school district receiving aid under s. 115.883 (10) in any school year is not eligible for aid under this section in that school year.

**\*b0534/1.3\* SECTION 2711e.** 115.883 of the statutes is created to read:

**115.883 Supplemental special education aid. (1)** From the appropriation under s. 20.255 (2) (be), the department shall pay supplemental special education aid to school districts to which all of the following apply:

(a) In the previous school year, the school district's revenue authority per pupil under subch. VII of ch. 121 was below the statewide average.

(b) In the previous school year, the school district's expenditures for special education constituted more than 16 percent of the school district's total expenditures.

(c) In the previous school year, the school district's membership, as defined in s. 121.004 (5), was less than 2,000 pupils.

**(2)** In the 2007–08 school year, the department shall pay each school district eligible for aid under this section the same amount. In each school year thereafter, the department shall distribute aid under this section to eligible school districts

proportionally based upon each school district's expenditures for special education in the previous school year, except that in any school year a school district may receive not less than \$50,000, and not more than \$150,000 or an amount equal to 50 percent of the school district's expenditures for special education in the previous school year, whichever is less.

**(3)** A school district receiving aid under s. 115.881 in any school year is not eligible for aid under this subsection in that school year.”.

**\*b0371/1.3\* 467.** Page 1237, line 5: after that line insert:

**\*b0371/1.3\* “SECTION 2718.** 118.245 of the statutes is repealed.”.

**\*b0476/1.13\* 468.** Page 1239, line 22: after that line insert:

**\*b0476/1.13\* “SECTION 2730d.** 118.51 (14) (b) of the statutes, as affected by 2007 Wisconsin .... (this act), is amended to read:

118.51 **(14)** (b) *Low-income assistance.* The parent of a pupil who is eligible for a free or reduced-price lunch under 42 USC 1758 (b) and who will be attending public school in a nonresident school district in the following school year under this section may apply to the department, on the form prepared under sub. (15) (a), for the reimbursement of costs incurred by the parent for the transportation of the pupil to and from the pupil's residence and the school that the pupil will be attending. The department shall determine the reimbursement amount and shall pay the amount from the appropriation under s. 20.255 (2) ~~(vy)~~ (cy). The reimbursement amount may not exceed the actual transportation costs incurred by the parent or 3 times the statewide average per pupil transportation costs, whichever is less. If the appropriation under s. 20.255 (2) ~~(vy)~~ (cy) in any one year is insufficient to pay the full amount of approved claims under this paragraph, payments shall be prorated

among the parents entitled thereto. By the 2nd Friday following the first Monday in May following receipt of the parent's application under sub. (3) (a), the department shall provide to each parent requesting reimbursement under this paragraph an estimate of the amount of reimbursement that the parent will receive if the pupil attends public school in the nonresident school district in the following school year.”.

**\*b0476/1.14\* 469.** Page 1240, line 8: after that line insert:

**\*b0476/1.14\* “SECTION 2731d.** 118.52 (11) (b) of the statutes, as affected by 2007 Wisconsin Act .... (this act), is amended to read:

118.52 (11) (b) *Low-income assistance.* The parent of a pupil who is attending a course in a public school in a nonresident school district under this section may apply to the department for reimbursement of the costs incurred by the parent for the transportation of the pupil to and from the pupil's residence or school in which the pupil is enrolled and the school at which the pupil is attending the course if the pupil and parent are unable to pay the cost of such transportation. The department shall determine the reimbursement amount and shall pay the amount from the appropriation under s. 20.255 (2) (~~vy~~) (cy). The department shall give preference under this paragraph to those pupils who are eligible for a free or reduced-price lunch under 42 USC 1758 (b).”.

**\*b0476/1.15\* 470.** Page 1240, line 20: after that line insert:

**\*b0476/1.15\* “SECTION 2732d.** 118.55 (7g) of the statutes, as affected by 2007 Wisconsin Act .... (this act), is amended to read:

118.55 (7g) **TRANSPORTATION.** The parent or guardian of a pupil who is attending an institution of higher education or technical college under this section and is taking a course for high school credit may apply to the state superintendent

for reimbursement of the cost of transporting the pupil between the high school in which the pupil is enrolled and the institution of higher education or technical college that the pupil is attending if the pupil and the pupil's parent or guardian are unable to pay the cost of such transportation. The state superintendent shall determine the reimbursement amount and shall pay the amount from the appropriation under s. 20.255 (2) ~~(vw)~~ (cw). The state superintendent shall give preference under this subsection to those pupils who are eligible for a free or reduced-price lunch under 42 USC 1758 (b).”.

**\*b0471/5.53\* 471.** Page 1241, line 22: after that line insert:

**\*b0471/5.53\* “SECTION 2737d.** 120.13 (2) (b) of the statutes is amended to read:

120.13 (2) (b) Provide health care benefits not provided under the Healthy Wisconsin Plan under ch. 260 on a self-insured basis to the employees of the school district if the school district has at least 100 employees. In addition, any 2 or more school districts which together have at least 100 employees may jointly provide health care benefits not provided under the Healthy Wisconsin Plan under ch. 260 on a self-insured basis to employees of the school districts.

**\*b0471/5.53\* SECTION 2737h.** 120.13 (2) (g) of the statutes is amended to read:

120.13 (2) (g) Every self-insured plan under par. (b) shall comply with ss. 49.493 (3) (d), 631.89, 631.90, 631.93 (2), 632.746 (10) (a) 2. and (b) 2., 632.747 (3), 632.85, 632.853, 632.855, 632.87 (4), ~~(5), and (6), 632.895 (9) to (14), 632.896,~~ and 767.513 (4).”.

**\*b0340/P1.1\* 472.** Page 1242, line 14: after that line insert:

**\*b0340/P1.1\* “SECTION 2738r.** 120.13 (18m) of the statutes is created to read:

120.13 **(18m)** WIND ELECTRICITY GENERATORS. Construct or acquire, borrow funds to construct or acquire, operate, and maintain a wind electricity generation facility, and use or sell the energy generated by the facility, if the school board's share of the installed capacity of the facility does not exceed 5 megawatts and the school board incorporates information about the facility in its curriculum.”.

**\*b0476/1.16\* 473.** Page 1242, line 21: after that line insert:

**\*b0476/1.16\*** “SECTION 2740d. 121.007 of the statutes, as affected by 2007 Wisconsin Act .... (this act), is amended to read:

**121.007 Use of state aid; exemption from execution.** All moneys paid to a school district under s. 20.255 (2) (ac), (bc), (cg), and ~~(vf)~~ (cr), shall be used by the school district solely for the purposes for which paid. Such moneys are exempt from execution, attachment, garnishment, or other process in favor of creditors, except as to claims for salaries or wages of teachers and other school employees and as to claims for school materials, supplies, fuel, and current repairs.”.

**\*b0474/1.1\* 474.** Page 1242, line 22: delete lines 22 to 25.

**\*b0474/1.2\* 475.** Page 1243, line 1: delete lines 1 to 15.

**\*b0403/1.3\* 476.** Page 1243, line 15: after that line insert:

**\*b0403/1.3\*** “SECTION 2744g. 121.136 of the statutes is created to read:

**121.136 State aid for high poverty school districts. (1)** In the 2007–08 and 2008–09 school years, the department shall pay additional state aid to a school district if at least 50 percent of the district's enrollment, as rounded to the nearest whole percentage point and as reported to the department by the school district in October 2006, as a condition for participation in the federal school lunch program under 42 USC 1758 (b), was eligible for a free or reduced–price lunch in the federal

school lunch program under 42 USC 1758 (b). The amount paid to each eligible school district shall be determined as follows:

(a) Divide the amount appropriated under s. 20.255 (2) (bb) by the total number of pupils enrolled in all eligible school districts who were eligible for a free or reduced-price lunch under 42 USC 1758 (b), as reported to the department in October 2006.

(b) Multiply the quotient under par. (a) by the number of pupils enrolled in the school district who were eligible for a free or reduced-price lunch under 42 USC 1758 (b), as reported to the department in October 2006.

(2) In the 2009–10 school year and annually thereafter, the department shall pay additional state aid to a school district if at least 50 percent of the district's enrollment on the 3rd Friday of September in the immediately preceding even-numbered year, as rounded to the nearest whole percentage point, was eligible for a free or reduced-price lunch in the federal school lunch program under 42 USC 1758 (b). The amount paid to each school district shall be determined by multiplying the number of pupils enrolled in the school district on that date that were eligible for a free or reduced-price lunch under 42 USC 1758 (b) by \$145.”.

**\*b0522/1.4\* 477.** Page 1243, line 16: delete the material beginning with that line and ending with page 1244, line 4.

**\*b0476/1.17\* 478.** Page 1244, line 10: after that line insert:

**\*b0476/1.17\* “SECTION 2747d.** 121.575 (3) of the statutes, as affected by 2007 Wisconsin Act .... (this act), is amended to read:

121.575 (3) If the federal government requires, as a condition of full federal financial participation under sub. (2) (b), that this state provide assistance for the

purposes of sub. (2) (a) from state resources, the department shall provide the assistance from the appropriation under s. 20.255 (2) (~~vr~~) (cr) in the minimum amount required to obtain full federal financial participation.”.

**\*b0565/1.1\* 479.** Page 1244, line 14: after that line insert:

**\*b0565/1.1\* “SECTION 2748m.** 121.58 (2) (d) of the statutes is created to read:

121.58 (2) (d) In addition to any other payments made under this section, the department shall allocate \$35,000 annually to reimburse school districts for 75 percent of the costs incurred to transport pupils over ice from their residence on an island to school on the mainland and back to their residence on the island, including the costs of maintaining and storing equipment. If in any school year the amount to which school districts are entitled under this paragraph exceeds \$35,000, the department shall prorate the payments among the eligible school districts.”.

**\*b0403/1.4\* 480.** Page 1244, line 22: after that line insert:

**\*b0403/1.4\* “SECTION 2749q.** 121.90 (2) (intro.) of the statutes is amended to read:

121.90 (2) (intro.) “State aid” means aid under ss. 121.08, 121.09 ~~and~~ 121.105, and 121.136 and subch. VI, as calculated for the current school year on October 15 under s. 121.15 (4) and including adjustments made under s. 121.15 (4), and amounts under s. 79.095 (4) for the current school year, except that “state aid” excludes all of the following:”.

**\*b0476/1.18\* 481.** Page 1244, line 22: after that line insert:

**\*b0476/1.18\* “SECTION 2749d.** 121.58 (6) of the statutes, as affected by 2007 Wisconsin Act .... (this act), is amended to read:



121.58 (6) APPROPRIATION PRORATED. If the appropriation under s. 20.255 (2) ~~(vr)~~ ~~(cr)~~ in any one year is insufficient to pay the full amount of approved claims under this section, state aid payments for school districts not participating in the program under s.121.575 shall be prorated as though the minimum amount under s. 121.575 (3) had not been made and state aid payments for school districts participating in the program under s. 121.575 shall be prorated after deducting the minimum amount under s. 121.575 (3).”.

**\*b0339/1.1\* 482.** Page 1245, line 5: delete lines 5 to 12 and substitute:

**\*b0339/1.1\* “SECTION 2752k.** 121.91 (4) (f) 1. of the statutes is renumbered 121.91 (4) (f) 1. (intro.) and amended to read:

121.91 (4) (f) 1. (intro.) Except as provided in subd. 1m., ~~for the 1999–2000 school year or any school year thereafter,~~ if the average of the number of pupils enrolled in the current and the 2 preceding school years is less than the average of the number of pupils enrolled in the 3 previous school years, the limit otherwise applicable under sub. (2m) (e) is increased ~~by the additional amount that would have been calculated had the decline in average enrollment been 25% of what it was.~~ as follows:”.

**\*b0339/1.2\* 483.** Page 1245, line 12: after that line insert:

**\*b0339/1.2\* “SECTION 2752L.** 121.91 (4) (f) 1. a. to c. of the statutes are created to read:

121.91 (4) (f) 1. a. In the current school year, by the additional amount that would have been calculated had there been no decline in average enrollment.

b. In the succeeding school year, by an amount equal to 75 percent of the additional amount calculated under subd. 1. a.

c. In the 2nd succeeding school year, by an amount equal to 50 percent of the additional amount calculated under subd. 1. a.”.

**\*b0339/1.3\* 484.** Page 1245, line 19: after “was” insert “. In the succeeding school year, the limit otherwise applicable under sub. (2m) (e) is increased by an amount equal to 75 percent of the amount calculated under this subdivision for the school year beginning on the first July 1 following the effective date of the reorganization. In the 2nd succeeding school year, the limit otherwise applicable under sub. (2m) (e) is increased by an amount equal to 50 percent of the amount calculated under this subdivision for the school year beginning on the first July 1 following the effective date of the reorganization”.

**\*b0339/1.4\* 485.** Page 1246, line 2: after “was” insert “. In the succeeding school year, the limit otherwise applicable under sub. (2m) (e) is increased by an amount equal to 75 percent of the amount calculated under this subdivision for the school year beginning on the 2nd July 1 following the effective date of the reorganization. In the 2nd succeeding school year, the limit otherwise applicable under sub. (2m) (e) is increased by an amount equal to 50 percent of the amount calculated under this subdivision for the school year beginning on the 2nd July 1 following the effective date of the reorganization”.

**\*b0339/1.5\* 486.** Page 1246, line 2: after that line insert:

**\*b0339/1.5\* “SECTION 2754d.** 121.91 (4) (f) 1m. d. of the statutes is created to read:

121.91 (4) (f) 1m. d. For any school year beginning after the school year described in subd. 1m. c., subd. 1. applies.”.

**\*b0337/1.1\* 487.** Page 1246, line 10: delete the material beginning with “\$25,000” and ending with “subd. 3” on line 12 and substitute “an amount equal to \$100 times the number of pupils enrolled in the school district or \$40,000, whichever is greater, for the purpose of covering compensation costs associated with providing security officers in the school district and purchasing safety equipment”.

**\*b0337/1.2\* 488.** Page 1246, line 13: delete “for the purpose described in subd. 3. a.”.

**\*b0337/1.3\* 489.** Page 1246, line 15: delete the material beginning with “that operates” and ending with “12” on line 16 and substitute “and that describes the manner in which the increased revenue shall be used,”.

**\*b0337/1.4\* 490.** Page 1246, line 17: delete the material beginning with “no later” and ending with “paragraph” on line 18.

**\*b0337/1.5\* 491.** Page 1246, line 19: delete the material beginning with “A school” and ending with “4.” on page 1247, line 6.

**\*b0338/1.1\* 492.** Page 1247, line 20: after that line insert:

**\*b0338/1.1\* “SECTION 2756b.** 121.91 (4) (n) of the statutes is created to read:  
121.91 (4) (n) The limit otherwise applicable to a school district under sub. (2m) in any school year is increased by the amount spent by the school district in that school year to pay the salary and fringe benefit costs of school nurses employed by the school district. Any additional revenue received by a school district as a result of this paragraph shall not be included in the base for determining the limit for the next school year for purposes of this section.”.

**\*b0338/1.2\* 493.** Page 1247, line 22: delete “and (m)” and substitute “(m), and (n)”.

**\*b0395/P1.1\* 494.** Page 1248, line 14: after that line insert:

**\*b0395/P1.1\* “SECTION 2757p.** 125.02 (3r) of the statutes is created to read:

125.02 (3r) “Caterer” means any person holding a restaurant permit under s. 254.64 who is in the business of preparing food and transporting it for consumption on premises where gatherings, meetings, or events are held, if the sale of food at each gathering, meeting, or event accounts for greater than 50 percent of the gross receipts of all of the food and beverages served at the gathering, meeting, or event.”.

**\*b0521/2.1\* 495.** Page 1248, line 14: after that line insert:

**\*b0521/2.1\* “SECTION 2757r.** 125.01 of the statutes is amended to read:

**125.01 Legislative intent.** This chapter shall be construed as an enactment of the legislature’s support for the 3–tier system for alcohol beverages production, distribution, and sale that, through uniform statewide regulation, provides this state regulatory authority over the production, storage, distribution, transportation, sale, and consumption of alcohol beverages by and to its citizens, for the benefit of the public health and welfare and this state’s economic stability. Without the 3–tier system, the effective statewide regulation and collection of state taxes on alcohol beverages sales would be seriously jeopardized. It is further the intent of the legislature that without a specific statutory exception, all sales of alcohol beverages shall occur through the 3–tier system, from manufacturers to licensed wholesalers to retailers to consumers. Face–to–face retail sales at licensed premises directly advance the state’s interest in preventing alcohol sales to underage or intoxicated persons.

**\*b0521/2.1\* SECTION 2757t.** 125.015 of the statutes is created to read:

**125.015 Severability.** If any provision or clause of this chapter or its application to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this chapter that can be given effect without the invalid provision or application, and to this end the provisions of this chapter are severable.

**\*b0521/2.1\* SECTION 2757v.** 125.02 (3r) of the statutes is created to read:

125.02 **(3r)** “Caterer” means any person holding a restaurant permit under s. 254.64 who is in the business of preparing food and transporting it for consumption on premises where gatherings, meetings, or events are held, if the sale of food at each gathering, meeting, or event accounts for greater than 50 percent of the gross receipts of all of the food and beverages served at the gathering, meeting, or event.”.

**\*b0395/P1.2\* 496.** Page 1249, line 7: after that line insert:

**\*b0395/P1.2\* “SECTION 2759k.** 125.26 (2u) of the statutes is created to read:

125.26 **(2u)** Notwithstanding ss. 125.04 (3) (a) 3. and (9) and 125.09 (1), in addition to the authorization specified in sub. (1), a Class “B” license issued under this section to a caterer also authorizes the caterer to provide fermented malt beverages, including their retail sale, at the National Railroad Museum in Green Bay during special events held at this museum. Notwithstanding sub. (1), a caterer may provide fermented malt beverages under this subsection at any location at the National Railroad Museum even though the National Railroad Museum is not part of the caterer’s licensed premises, as described under sub. (3) in the caterer’s Class “B” license, and even if the National Railroad Museum is not located within the municipality that issued the caterer’s Class “B” license. A caterer that provides

fermented malt beverages under this subsection is subject to s. 125.32 (2) as if the fermented malt beverages were provided on the caterer's Class "B" licensed premises. This subsection does not authorize the National Railroad Museum to sell fermented malt beverages at retail or to procure or stock fermented malt beverages for purposes of retail sale. This subsection does not apply if, at any time, the National Railroad Museum holds a Class "B" license.

**\*b0395/P1.2\* SECTION 2759n.** 125.51 (3) (bu) of the statutes is created to read:

125.51 (3) (bu) Notwithstanding ss. 125.04 (3) (a) 3. and (9) and 125.09 (1), in addition to the authorization specified in sub. (1) (a) and in sub. (3) (a) or (b) , a "Class B" license issued under sub. (1) to a caterer also authorizes the caterer to provide intoxicating liquor, including its retail sale, at the National Railroad Museum in Green Bay during special events held at this museum. Notwithstanding subs. (1) (a) and (3) (a) and (b), a caterer may provide intoxicating liquor under this paragraph at any location at the National Railroad Museum even though the National Railroad Museum is not part of the caterer's licensed premises, as described under par. (d) in the caterer's "Class B" license, and even if the National Railroad Museum is not located within the municipality that issued the caterer's "Class B" license. A caterer that provides intoxicating liquor under this paragraph is subject to s. 125.68 (2) as if the intoxicating liquor were provided on the caterer's "Class B" licensed premises. This paragraph does not authorize the National Railroad Museum to sell intoxicating liquor at retail or to procure or stock intoxicating liquor for purposes of retail sale. This paragraph does not apply if, at any time, the National Railroad Museum holds a "Class B" license."

**\*b0521/2.2\* 497.** Page 1249, line 7: after that line insert:

**\*b0521/2.2\* SECTION 2759c.** 125.12 (5) of the statutes is amended to read:

125.12 (5) REVOCATIONS OR SUSPENSIONS OF, OR REFUSALS TO RENEW, PERMITS BY THE DEPARTMENT. The department may, after notice and an opportunity for hearing, revoke, suspend or refuse to renew any retail permit issued by it for the causes provided in sub. (4) and any other permit issued by it under this chapter for any violation of this chapter or ch. 139, except that, for a violation of sub. (4) (ag) 6. with respect to a license issued under s. 125.51 (4) (v) or a violation of s. 125.535 or 139.035, the department shall revoke the license or permit. A revocation, suspension or refusal to renew is a contested case under ch. 227.

**\*b0521/2.2\* SECTION 2759d.** 125.51 (6) of the statutes is created to read:

125.51 (6) FACE-TO-FACE RETAIL SALES. Except as provided in sub. (3) (bm) and (bs) and except with respect to caterers, a retail license issued under this section authorizes only face-to-face sales to consumers at the licensed premises.

**\*b0521/2.2\* SECTION 2759e.** 125.52 (1) of the statutes is amended to read:

125.52 (1) AUTHORIZED ACTIVITIES. The department shall issue manufacturers' and rectifiers' permits which authorize the manufacture or rectification, respectively, of intoxicating liquor on the premises covered by the permit. A person holding a manufacturer's or rectifier's permit may manufacture, and bottle ~~or~~ wholesale wine, pursuant to the terms of the permit, without procuring a winery permit. A manufacturer's or rectifier's permit entitles the permittee to sell intoxicating liquor to wholesalers holding a permit under s. 125.54, and to other manufacturers and rectifiers holding a permit under this section, from the premises described in the permit.  ~~Holders of rectifiers' permits may sell intoxicating liquor rectified by the permittee to retailers without any other permit.~~ No sales may be made for consumption on the premises of the permittee. Possession of a permit under

this section does not authorize the permittee to sell tax-free intoxicating liquor and wines brought into this state under s. 139.03 (5).

**\*b0521/2.2\* SECTION 2759f.** 125.52 (6) of the statutes is repealed.

**\*b0521/2.2\* SECTION 2759g.** 125.52 (8) of the statutes is repealed.

**\*b0521/2.2\* SECTION 2759h.** 125.53 (1) of the statutes is amended to read:

**125.53 (1)** The department shall issue only to a manufacturing winery in this state that holds a valid certificate issued under s. 73.03 (50) a winery permit authorizing the manufacture and bottling of wine on the premises covered by the permit for sale ~~at wholesale to other licensees or permittees~~ to wholesalers holding a permit under s. 125.54. A permittee winery holding a permit under this section may offer on the premises taste samples of wine manufactured on the premises to persons who have attained the legal drinking age. A permittee under this section may also have either a “Class A” or “Class B” license, but not both. If a “Class A” or “Class B” liquor license has also been issued to the winery, the winery may offer the taste samples on the “Class A” or “Class B” premises.

**\*b0521/2.2\* SECTION 2759i.** 125.53 (3) of the statutes is repealed.

**\*b0521/2.2\* SECTION 2759j.** 125.535 of the statutes is created to read:

**125.535 Direct wine shippers’ permits. (1)** AUTHORIZED ACTIVITIES. The department shall issue direct wine shippers’ permits authorizing the permittee to ship wine directly to an individual in this state who is of the legal drinking age, who acknowledges in writing receipt of the wine shipped, and who is not intoxicated at the time of delivery. A signature on the delivery form of the common carrier by a person of legal drinking age acknowledges delivery in writing.

**(2) ANNUAL PERMIT FEE.** The department shall charge the following annual fee for each permit issued under this section:



(a) For a permittee that ships more than 90 liters of wine annually to individuals in this state, \$1,000.

(b) For a permittee that ships not less than 27 liters nor more than 90 liters of wine annually to individuals in this state, \$500.

(c) For a permittee that ships less than 27 liters of wine annually to individuals in this state, \$100.

**(3) PERSONS ELIGIBLE.** (a) A direct wine shipper's permit may be issued under this section to any person that manufactures and bottles wine on premises covered by any of the following:

1. A manufacturer's or rectifier's permit under s. 125.52.

2. A winery permit under s. 125.53.

3. A winery license, permit, or other authorization issued to the winery by any state from which the winery will ship wine into this state.

(b) A winery located outside of this state is eligible for a direct wine shipper's permit under par. (a) 3. if all of the following apply:

1. The winery holds a valid business tax registration certificate issued under s. 73.03 (50).

2. The winery submits to the department, with any initial application or renewal for a certificate under s. 73.03 (50) or a permit under par. (a) 3., a copy of any current license, permit, or authorization issued to the winery by the state from which the winery will ship wine into this state.

(c) Notwithstanding s. 125.04 (5) (a), natural persons obtaining direct wine shippers' permits are not required to be residents of this state. Notwithstanding s. 125.04 (5) (a) 5., a person is not required to complete a responsible beverage server training course to be eligible for a permit under this section. Notwithstanding s.

125.04 (6), corporations or limited liability companies obtaining direct wine shippers' permits are not required to appoint agents.

(4) ANNUAL REPORT REQUIRED. A permittee under this section shall submit a report to the department, by January 31 of each year, on forms furnished by the department, providing the identity, quantity, and price of all products shipped to individuals in this state during the previous calendar year, along with the name, address, and birthdate of each person who purchased these products and each person to whom these products were shipped.

(5) LABELS. Containers of wine shipped to an individual in this state under this section shall be clearly labeled to indicate that the package may not be delivered to an underage person or to an intoxicated person.

(6) RESTRICTIONS. No individual may resell, or use for a commercial purpose, wine received by the individual that is shipped under authority of this section.

(7) ANNUAL LIMIT. No individual in this state may receive more than 27 liters of wine annually shipped under authority of the section, and no permittee under this section may ship more than 27 liters of wine annually to an individual in this state. This subsection does not apply to purchases made under a permit issued under s. 125.61.

**\*b0521/2.2\* SECTION 2759k.** 125.54 (1) of the statutes is amended to read:

125.54 (1) AUTHORIZED ACTIVITIES. The department shall issue wholesalers' permits authorizing the permittee to sell intoxicating liquor at wholesale from the premises described in the permit. ~~Except as provided under s. 125.69 (1) (b) 3., the~~ The permittee may not sell intoxicating liquor for consumption on the premises. If a wholesale permit is issued to a brewery that holds a "Class B" license, the permit shall authorize the wholesale sale of wine only. Possession of a permit under this

section does not authorize the permittee to sell tax-free intoxicating liquor and wine brought into this state under s. 139.03 (5).

**\*b0521/2.2\* SECTION 2759km.** 125.58 (1) of the statutes is amended to read:

125.58 (1) The department shall issue out-of-state shippers' permits which authorize persons located outside this state to sell or ship intoxicating liquor into this state. Except as provided under sub. (4), intoxicating liquor may be shipped into this state only to a person holding a ~~manufacturer's, rectifier's, wholesaler's, industrial alcohol or medicinal alcohol~~ permit under s. 125.54 or, if shipped from a manufacturer or rectifier in another state holding a permit under this section, to a person holding a manufacturer's or rectifier's permit under s. 125.52. Except as provided under sub. (4), a separate out-of-state shipper's permit is required for each location from which any intoxicating liquor is sold or shipped into this state, including the location from which the invoices are issued for the sales or shipments. Any person holding an out-of-state shipper's permit issued under this section may solicit orders for sales or shipments by the permittee without obtaining the sales solicitation permit required by s. 125.65, but every agent, salesperson or other representative who solicits orders for sales or shipments by an out-of-state shipper shall first obtain a permit for soliciting orders under s. 125.65. No holder of an out-of-state shipper's permit issued under this section may sell intoxicating liquor in this state or ship intoxicating liquor into this state unless the out-of-state shipper is the primary source of supply for that intoxicating liquor.

**\*b0521/2.2\* SECTION 2759L.** 125.58 (4) (a) (intro.) of the statutes is renumbered 125.58 (4) and amended to read:

125.58 (4) (a) A winery located outside of this state may ship wine into this state as provided under s. 125.68 (10) (bm) if all of the following apply: 125.535 and is not required to hold an out-of-state shipper's permit under this section.

**\*b0521/2.2\* SECTION 2759m.** 125.58 (4) (a) 1. to 4. of the statutes are repealed.

**\*b0521/2.2\* SECTION 2759mm.** 125.58 (4) (b) of the statutes is repealed.

**\*b0521/2.2\* SECTION 2759n.** 125.68 (10) (a) of the statutes is amended to read:

125.68 (10) (a) Except as provided in ~~par. (bm)~~ s. 125.535, no intoxicating liquor may be shipped into this state unless consigned to a person holding a wholesaler's permit for the sale of intoxicating liquor, other than a retail "Class B" permit under s. 125.54 or, if shipped from a manufacturer or rectifier in another state holding a permit under s. 125.58, consigned to a person holding a manufacturer's or rectifier's permit under s. 125.52.

**\*b0521/2.2\* SECTION 2759o.** 125.68 (10) (b) of the statutes is amended to read:

125.68 (10) (b) Except as provided in ~~par. (bm)~~ s. 125.535, no common carrier or other person may transport into and deliver within this state any intoxicating liquor unless it is consigned to a person holding a wholesaler's permit for the sale of intoxicating liquor, other than a retail "Class B" permit under s. 125.54. Any common carrier violating this paragraph shall forfeit \$100 for each violation.

**\*b0521/2.2\* SECTION 2759p.** 125.68 (10) (bm) of the statutes is repealed.

**\*b0521/2.2\* SECTION 2759pg.** 125.68 (10) (bs) of the statutes is repealed.

**\*b0521/2.2\* SECTION 2759pr.** 125.68 (10) (c) of the statutes is repealed.

**\*b0521/2.2\* SECTION 2759q.** 125.69 (1) (a) of the statutes is amended to read:

125.69 (1) (a) No intoxicating liquor manufacturer, rectifier, winery, out-of-state shipper permittee, or wholesaler may hold any direct or indirect interest in any "Class A" license or establishment and no "Class A" licensee may hold

any direct or indirect interest in a wholesale permit or establishment, except that a winery that has a permit under s. 125.53 may have an ownership interest in a “Class A” license.

**\*b0521/2.2\* SECTION 2759r.** 125.69 (1) (b) 1. of the statutes is amended to read:

125.69 (1) (b) 1. Except as provided under ~~subds. 2. to subd. 4.~~, no intoxicating liquor manufacturer, rectifier, winery, out-of-state shipper permittee, or wholesaler may hold any direct or indirect interest in any “Class B” license or permit or establishment or “Class C” license or establishment and no “Class B” licensee or permittee or “Class C” licensee may hold any direct or indirect interest in a wholesale permit or establishment.

**\*b0521/2.2\* SECTION 2759s.** 125.69 (1) (b) 2. and 3. of the statutes are repealed.

**\*b0521/2.2\* SECTION 2759t.** 125.69 (1) (c) (intro.) of the statutes is renumbered 125.69 (1) (c) and amended to read:

125.69 (1) (c) No manufacturer, whether located within or without this state, may hold any direct or indirect interest in any wholesale permit or establishment, except as provided in s. 125.53, ~~and except that a manufacturer that is also a brewer may hold a permit issued under s. 125.54 for the wholesale sale of wine only. This paragraph does not prohibit any of the following persons from obtaining a permit under s. 125.65:~~ Except as provided in s. 125.53, no retail licensee may hold any direct or indirect interest in any manufacturer, rectifier, or winery.

**\*b0521/2.2\* SECTION 2759u.** 125.69 (1) (c) 1. to 3. of the statutes are repealed.

**\*b0521/2.2\* SECTION 2759v.** 125.69 (4) (c) of the statutes is repealed.

**\*b0521/2.2\* SECTION 2759w.** 125.69 (6) (a) of the statutes is amended to read:

125.69 (6) (a) No campus or retail licensee or permittee may purchase or possess intoxicating liquor purchased from any person other than a ~~manufacturer,~~

rectifier or wholesaler holding a permit under this chapter for the sale of intoxicating liquor.”.

**\*b0521/2.3\* 498.** Page 1253, line 2: after that line insert:

**\*b0521/2.3\* “SECTION 2780b.** 139.035 of the statutes is repealed and recreated to read:

**139.035 Wine shipped directly to individuals in this state. (1)** All wine shipped directly to an individual located in Wisconsin by a person holding a direct wine shipper’s permit under s. 125.535 shall be sold with the occupational tax imposed under s. 139.03 included in the selling price. Each person holding a direct wine shipper’s permit under s. 125.535 shall be required to file an addendum to the monthly liquor tax return required under s. 139.06 (2) (a), on forms furnished by the department, that provides, at minimum, the identity, quantity, and price of all wine shipped to individuals in this state during the previous calendar month, along with the name, address, and birthdate of each person who purchased the wine and a copy of the signature provided by the person of legal drinking age who acknowledged delivery of the wine. A form shall also be developed by the department for recording an attestation of the delivery person who reviewed the proof of age identification provided at the time of delivery and determined that the recipient was not intoxicated.

**(2)** Any failure of a person holding a direct wine shipper’s permit under s. 125.535 to pay the occupational tax or file the addendum required under sub. (1) within 30 days of its due date constitutes grounds for revocation or suspension of the permit. The provisions on timely filing under s. 71.80 (18) apply to the tax and addendum required under this section.

**\*b0521/2.3\* SECTION 2780f.** 139.11 (4) of the statutes is amended to read:

139.11 (4) CONFIDENTIALITY. Sections 71.78 (1) and (4) to (9) and 71.83 (2) (a) 3., relating to confidentiality of income, franchise and gift tax returns, apply to any information obtained from any person on a fermented malt beverage or intoxicating liquor tax return, report, schedule, exhibit or other document or from an audit report relating to any of those documents, except that the department of revenue shall publish brewery production and sales statistics and shall publish or permit the publication of statistics on the total number of gallons of the types and brands of intoxicating liquor sold in this state and shall publish and make available on the department's Internet Web site a current and regularly updated list of permit holders that minimally includes detailed information on the name, address, contact person, and date of permit issuance for every manufacturer's and rectifier's permit issued under s. 125.52, winery permit issued under s. 125.53, direct wine shipper's permit under s. 125.535, wholesaler's permit issued under s. 125.54, and out-of-state shipper's permit issued under s. 125.58."

**\*b0514/2.2\* 499.** Page 1254, line 3: delete "\$324,000,000" and substitute "\$314,000,000".

**\*b0514/2.3\* 500.** Page 1254, line 6: delete "\$325,000,000" and substitute "\$315,000,000".

**\*b0350/1.43\* 501.** Page 1258, line 20: after that line insert:

**\*b0350/1.43\* "SECTION 2868b.** 146.55 (4) (a) of the statutes, as affected by 2007 Wisconsin Act .... (this act), is amended to read:

146.55 (4) (a) From the appropriation under s. 20.435 (5) (~~rb~~) (ch), the department shall annually distribute funds for ambulance service vehicles or vehicle

equipment, emergency medical services supplies or equipment or emergency medical training for personnel to an ambulance service provider that is a public agency, a volunteer fire department or a nonprofit corporation, under a funding formula consisting of an identical base amount for each ambulance service provider plus a supplemental amount based on the population of the ambulance service provider's primary service or contract area, as established under s. 146.50 (5).”.

**\*b0350/1.44\* 502.** Page 1259, line 3: after that line insert:

**\*b0350/1.44\* “SECTION 2869b.** 146.55 (5) (a) of the statutes, as affected by 2007 Wisconsin Act .... (this act), is amended to read:

146.55 (5) (a) From the appropriation under s. 20.435 (5) (~~rb~~) (ch), the department shall annually distribute funds to ambulance service providers that are public agencies, volunteer fire departments, or nonprofit corporations to purchase the training required for licensure and renewal of licensure as an emergency medical technician – basic under s. 146.50 (6), and to pay for administration of the examination required for licensure or renewal of licensure as an emergency medical technician – basic under s. 146.50 (6) (a) 3. and (b) 1.”.

**\*b0386/1.2\* 503.** Page 1259, line 3: after that line insert:

**\*b0386/1.2\* “SECTION 2869h.** 146.57 (3) (a) of the statutes is amended to read:

146.57 (3) (a) The department shall implement a statewide poison control system, which shall provide poison control services that are available statewide, on a 24-hour per day and 365-day per year basis and shall provide poison information and education to health care professionals and the public. From the appropriation under s. 20.435 (5) (ds), the department shall, if the requirement under par. (b) is met, distribute total funding of not more than \$375,000 \$425,000 in each fiscal year



to supplement the operation of the system and to provide for the statewide collection and reporting of poison control data. The department may, but need not, distribute all of the funds in each fiscal year to a single poison control center.”.

**\*b0350/1.45\* 504.** Page 1259, line 6: after that line insert:

**\*b0350/1.45\* “SECTION 2870b.** 146.58 (8) of the statutes, as affected by 2007 Wisconsin Act .... (this act), is amended to read:

146.58 **(8)** Review the annual budget prepared by the department for the expenditures under s. 20.435 (5) ~~(rb)~~ (ch).”.

**\*b0444/1.7\* 505.** Page 1259, line 9: substitute “(5) (dg)” for “(4) (xf)”.

**\*b0540/1.2\* 506.** Page 1259, line 17: after that line insert:

**\*b0540/1.2\* “SECTION 2870mb.** 146.70 (3m) (a) 5. of the statutes is renumbered 146.70 (3m) (a) 3m. and amended to read:

146.70 **(3m)** (a) 3m. “Reimbursement First reimbursement period” means the period beginning on September 3, 2003, and ending on the last day of the 3–year period beginning on the first day of the 2nd month beginning after the effective date of the rules promulgated under par. (f) 1.

**\*b0540/1.2\* SECTION 2870md.** 146.70 (3m) (a) 5m. of the statutes is created to read:

146.70 **(3m)** (a) 5m. “Second reimbursement period” means the period beginning on the first day after the last day of the first reimbursement period and ending on November 30, 2010.

**\*b0540/1.2\* SECTION 2870mf.** 146.70 (3m) (b) 1. of the statutes is amended to read:

146.70 (3m) (b) 1. Except as provided in subd. 2. and ~~par. (cm) and~~ (d) 1e., a wireless provider may not receive a grant under par. (d) unless, no later than the first day of the 3rd month beginning after the effective date of the rules promulgated under par. (d) 4., the wireless provider applies to the commission with an estimate, and supporting documentation, of the costs that it has incurred, or will incur, during the first reimbursement period to upgrade, purchase, lease, program, install, test, operate, or maintain all data, hardware, and software necessary to comply with the federal wireless orders in this state. The estimate may not include, and a wireless provider may not seek reimbursement for, any such costs that the wireless provider recovers or has recovered from customers in this state during or before the first reimbursement period for the implementation of wireless 911 emergency service in this state.

**\*b0540/1.2\* SECTION 2870mh.** 146.70 (3m) (c) 1. (intro.) of the statutes is amended to read:

146.70 (3m) (c) 1. (intro.) Except as provided in ~~par. (cm) and~~ (d) 1e., a local government that operates a wireless public safety answering point, or local governments that jointly operate a wireless public safety answering point, may not receive a grant under par. (d) unless the requirements under subds. 3. to 5. are satisfied and, no later than the first day of the 3rd month beginning after the effective date of the rules promulgated under par. (d) 4., every county that itself is one of the local governments or in which any of the local governments is located applies to the commission with an estimate, and supporting documentation, of the costs specified in subd. 1r. and the costs that the local government or local governments have directly and primarily incurred, or will directly and primarily incur, during the first

reimbursement period for leasing, purchasing, operating, or maintaining the wireless public safety answering point, including costs for all of the following:

**\*b0540/1.2\* SECTION 2870mj.** 146.70 (3m) (cm) of the statutes is created to read:

146.70 **(3m)** (cm) *Second reimbursement period.* 1. No later than June 30, 2008:

a. A wireless provider that has received grants under par. (d) for costs incurred during the first reimbursement period may apply to the commission for grants under par. (d) for reimbursement of costs incurred during the 2nd reimbursement period that are otherwise identified in par. (b) 1., except for costs that the wireless provider recovers or has recovered from customers in this state during or before the first or 2nd reimbursement period for implementation of wireless 911 emergency service in this state.

b. A local government that has received grants under par. (d) for costs incurred during the first reimbursement period may apply to the commission for grants under par. (d) for reimbursement of costs directly and primarily incurred by the local government during the 2nd reimbursement period that are otherwise identified in par. (c) 1., except for costs specified in par. (c) 1m., and for reimbursement of costs directly and primarily incurred by the local government that are specified in par. (c) 1r.

2. An application under subd. 1. shall include an estimate and supporting documentation of the costs for which reimbursement is sought. If a local government submitted a joint application under par. (c), the local government shall also submit a joint application under subd. 1. that specifies the manner in which the estimated costs are apportioned among the local government covered by the application.

**\*b0540/1.2\* SECTION 2870mL.** 146.70 (3m) (d) 1. of the statutes is amended to read:

146.70 (3m) (d) 1. The commission shall approve an application under par. (b) ~~or~~, (c), or (cm) if the commission determines that the costs estimated in the application are reasonable and have been, or will be, incurred for the purpose of promoting a cost-effective and efficient statewide system for responding to wireless emergency 911 telephone calls and, for an application by a local government under par. (c) or (cm), if the requirements under subd. 1g. are satisfied.

**\*b0540/1.2\* SECTION 2870mn.** 146.70 (3m) (d) 1e. (intro.) of the statutes is amended to read:

146.70 (3m) (d) 1e. (intro.) If a wireless provider or local government submits an application after the deadline specified in par. (b) 1. ~~or~~, (c) 1. (intro.), or (cm) 1. (intro.), the commission shall reduce the costs approved under subd. 1. by the following amounts:

**\*b0540/1.2\* SECTION 2870mp.** 146.70 (3m) (d) 1g. of the statutes is amended to read:

146.70 (3m) (d) 1g. If an application under par. (c) or (cm) includes an estimate of costs identified in par. (c) 1. d. incurred during the first or 2nd reimbursement period or between January 1, 1999, and September 3, 2003, the commission may approve the application only if the commission determines that the local government's collection of land information, as defined in s. 16.967 (1) (b), and development of a land information system, as defined in s. 16.967 (1) (c), that is related to that purpose are consistent with the applicable county land records modernization plans developed under s. 59.72 (3) (b), conform to the standards on which such plans are based, and do not duplicate land information collection and

other efforts funded through the land information program under s. 16.967 (7). The commission shall obtain the advice of the department of administration in making determinations under this subdivision.

**\*b0540/1.2\* SECTION 2870mr.** 146.70 (3m) (d) 2. of the statutes is amended to read:

146.70 **(3m)** (d) 2. From the appropriation under s. 20.155 (3) (q), the commission shall make grants to reimburse wireless providers and local governments for costs approved under subd. 1. that are actually incurred by the wireless providers and local governments, except that no wireless provider or local government may receive a total amount in grants that exceeds the estimated amount approved by the commission under subd. 1. for that wireless provider or local government. For applications for the joint operation of a wireless public safety answering point, the commission shall apportion the grants in the manner specified under par. (c) 2. or (cm) 2.

**\*b0540/1.2\* SECTION 2870mt.** 146.70 (3m) (d) 4. of the statutes is amended to read:

146.70 **(3m)** (d) 4. The commission shall promulgate rules establishing requirements and procedures for making grants under this paragraph, including criteria for approving estimated costs under subd. 1. The rules shall require the commission to make the grants ~~during the 3-year period beginning on the first day of the 3rd month beginning after the effective date of the rules promulgated under~~ par. (f) ~~1~~ until December 31, 2010. The rules shall include record-keeping requirements to ensure that the grants are used to reimburse estimated costs approved by the commission. The rules shall allow the commission to make the grants in installments. The rules shall also include requirements for wireless

providers specified in par. (b) 2. to apply for grants. The rules shall specify the conditions under which a wireless provider or local government may revise an application approved under subd. 1.

**\*b0540/1.2\* SECTION 2870mv.** 146.70 (3m) (e) of the statutes is amended to read:

146.70 (3m) (e) *Supplemental grants.* The commission shall promulgate rules for making supplemental grants from the appropriation under s. 20.155 (3) (q) to counties that submit joint applications required under par. (c) 4. or (cm). The rules shall establish the supplemental grants in amounts that provide an incentive for counties to submit joint applications. The rules may not impose any limits on the use of a supplemental grant and shall allow the commission to make the grants in installments.

**\*b0540/1.2\* SECTION 2870mx.** 146.70 (3m) (f) 1. of the statutes is amended to read:

146.70 (3m) (f) 1. The commission shall promulgate rules requiring each wireless provider to impose the same monthly surcharge for each telephone number of a customer that has a billable address in this state, except that the rules shall adjust the amount of the surcharge that is imposed on customers who prepay for service to ensure that such customers pay an amount that is comparable to the monthly amount paid by other customers. The rules shall require the surcharge to be imposed ~~during the 3-year period beginning on the first day of the 2nd month beginning after the effective date of the rules~~ until November 30, 2010. The amount of the surcharge shall be sufficient for the commission to administer and make the grants under par. (d) and the supplemental grants under par. (e). The rules shall

require wireless providers to pay the surcharge to the commission for deposit in the wireless 911 fund.

**\*b0540/1.2\* SECTION 2870mz.** 146.70 (3m) (j) of the statutes is amended to read:

146.70 **(3m)** (j) *Sunset.* This subsection does not apply after the first day of the 42nd month beginning after the effective date of the rules promulgated under par. (f) ~~1~~ April 1, 2011.”.

**\*b0471/5.54\* 507.** Page 1260, line 13: after that line insert:

**\*b0471/5.54\* “SECTION 2879h.** 149.12 (2) (em) of the statutes is created to read:

149.12 **(2)** (em) No person who is eligible for coverage under the Healthy Wisconsin Plan under ch. 260 is eligible for coverage under the plan under this chapter.”.

**\*b0350/1.46\* 508.** Page 1267, line 14: after that line insert:

**\*b0350/1.46\* “SECTION 2910b.** 166.03 (2) (a) 5. of the statutes, as affected by 2007 Wisconsin Act .... (this act), is amended to read:

166.03 **(2)** (a) 5. Provide assistance to the Wisconsin wing of the civil air patrol from the appropriation under s. 20.465 (3) ~~(y)~~ (f) for the purpose of enabling the patrol to perform its assigned missions and duties as prescribed by U.S. air force regulations. Expenses eligible for assistance are aircraft acquisition and maintenance, communications equipment acquisition and maintenance and office staffing and operational expenses. The civil air patrol shall submit vouchers for expenses eligible for assistance to the division.”.

**\*b0350/1.47\* 509.** Page 1268, line 4: after that line insert:

**\*b0350/1.47\*** “**SECTION 2911b.** 166.215 (1) of the statutes, as affected by 2007 Wisconsin Act .... (this act), is amended to read:

166.215 (1) Beginning July 1, 2001, the division shall contract with no more than 9 regional emergency response teams, one of which shall be located in La Crosse County. Each regional emergency response team shall assist in the emergency response to level A releases in a region of this state designated by the division. The division shall contract with at least one regional emergency response team in each area designated under s. 166.03 (2) (b) 1. The division may only contract with a local agency, as defined in s. 166.22 (1) (c), under this subsection. A member of a regional emergency response team shall meet the highest standards for a hazardous materials responder in 29 CFR 1910.120 (q) (6) (iv) and National Fire Protection Association standards NFPA 471 and 472. Regional emergency response teams shall have at least one member that is trained in each of the appropriate specialty areas under National Fire Protection Association standard NFPA 472. Payments to regional emergency response teams under this subsection shall be made from the appropriation account under s. 20.465 (3) ~~(tt)~~ (dd).”

**\*b0350/1.48\* 510.** Page 1268, line 17: after that line insert:

**\*b0350/1.48\*** “**SECTION 2912b.** 166.215 (2) of the statutes, as affected by 2007 Wisconsin Act .... (this act), is amended to read:

166.215 (2) The division shall reimburse a regional emergency response team for costs incurred by the team in responding to an emergency involving a level A release, or a potential level A release, if the team followed the procedures in the rules promulgated under s. 166.20 (2) (bs) 1. to determine if an emergency requiring a response existed. Reimbursement under this subsection is limited to amounts



collected under sub. (3) and the amounts appropriated under s. 20.465 (3) ~~(x)~~ (dr). Reimbursement is available under s. 20.465 (3) ~~(x)~~ (dr) only if the regional emergency response team has made a good faith effort to identify the person responsible under sub. (3) and that person cannot be identified, or, if that person is identified, the team has received reimbursement from that person to the extent that the person is financially able or has determined that the person does not have adequate money or other resources to reimburse the regional emergency response team.”.

**\*b0350/1.49\* 511.** Page 1269, line 5: after that line insert:

**\*b0350/1.49\* “SECTION 2913b.** 166.22 (3m) of the statutes, as affected by 2007 Wisconsin Act .... (this act), is amended to read:

166.22 **(3m)** The division shall reimburse a local emergency response team for costs incurred by the team in responding to an emergency involving a hazardous substance release, or potential release, if the team followed the procedures in the rules promulgated under s. 166.20 (2) (bs) 2. to determine if an emergency requiring the team’s response existed. Reimbursement under this subsection is limited to the amount appropriated under s. 20.465 (3) ~~(x)~~ (dr). Reimbursement is available under s. 20.465 (3) ~~(x)~~ (dr) only if the local emergency response team has made a good faith effort to identify the person responsible under sub. (4) and that person cannot be identified, or, if that person is identified, the team has received reimbursement from that person to the extent that the person is financially able or has determined that the person does not have adequate money or other resources to reimburse the local emergency response team.”.

**\*b0522/1.5\* 512.** Page 1271, line 5: delete lines 5 to 8.

**\*b0503/4.11\* 513.** Page 1274, line 9: after that line insert:

**\*b0503/4.11\*** “SECTION 2922u. 185.81 of the statutes is amended to read:

**185.81 Admission of foreign cooperatives.** A foreign cooperative is entitled to all rights, exemptions and privileges of a cooperative organized under this chapter, if it is authorized to do business in this state under ch. 180. Such foreign cooperative may qualify under ch. 180 whether or not formed for profit and whether or not formed with stock. Any such foreign cooperative claiming to be subject to s. 71.26 (1) (a) or 71.45 (1) (a) may be required to furnish the department of revenue with such facts as said department shall deem necessary to establish the foreign cooperative’s rights thereunder.”.

**\*b0555/1.1\* 514.** Page 1276, line 22: delete the material beginning with that line and ending with page 1277, line 7.

**\*b0550/1.1\* 515.** Page 1278, line 11: after that line insert:

**\*b0550/1.1\*** “SECTION 2929v. 196.218 (5) (a) 6. of the statutes is amended to read:

196.218 (5) (a) 6. To pay the ~~department of administration~~ for telecommunications services provided under ~~s. 16.972 (1)~~ to the campuses of the University of Wisconsin System at ~~River Falls, Stout, Superior and Whitewater~~.”.

**\*b0440/1.1\* 516.** Page 1279, line 13: delete lines 13 to 20.

**\*b0480/3.1\* 517.** Page 1299, line 20: after that line insert:

**\*b0480/3.1\*** “SECTION 2997b. 227.01 (13) (zx) of the statutes is created to read:  
227.01 (13) (zx) Determines a fee under s. 440.03 (9) for an initial credential for which no examination is required, for a reciprocal credential, or for a credential renewal.”.

**\*b0488/P1.19\* 518.** Page 1309, line 21: after that line insert:

**\*b0488/P1.19\*** “SECTION 3003. 230.01 (3) of the statutes is amended to read:  
230.01 (3) Nothing in this chapter shall be construed to either infringe upon  
or supersede the rights guaranteed state employees under subch. V or VI of ch. 111.”.

**\*b0471/5.55\* 519.** Page 1310, line 4: before “or 279” insert “260.”.

**\*b0488/P1.20\* 520.** Page 1310, line 7: after that line insert:

**\*b0488/P1.20\*** “SECTION 3005. 230.046 (10) (a) of the statutes is amended to  
read:

230.046 (10) (a) Conduct off-the-job employee development and training  
programs relating to functions under this chapter or subch. V or VI of ch. 111.”.

**\*b0373/P3.9\* 521.** Page 1310, line 9: delete “14” and substitute “15”.

**\*b0341/2.9\* 522.** Page 1310, line 18: after that line insert:

**\*b0341/2.9\*** “SECTION 3012. 230.08 (2) (pd) of the statutes is amended to read:  
230.08 (2) (pd) The chairperson of the parole earned release review  
commission.”.

**\*b0488/P1.21\* 523.** Page 1311, line 4: after that line insert:

**\*b0488/P1.21\*** “SECTION 3015. 230.12 (3) (e) 1. of the statutes is amended to  
read:

230.12 (3) (e) 1. The director, after receiving recommendations from the board  
of regents, shall submit to the joint committee on employment relations a proposal  
for adjusting compensation and employee benefits for employees under ss. 20.923  
(4g), (5) and (6) (m) and 230.08 (2) (d) who are not included in a collective bargaining  
unit under subch. V or VI of ch. 111 for which a representative is certified. The  
proposal shall include the salary ranges and adjustments to the salary ranges for the  
university senior executive salary groups 1 and 2 established under s. 20.923 (4g).

The proposal shall be based upon the competitive ability of the board of regents to recruit and retain qualified faculty and academic staff, data collected as to rates of pay for comparable work in other public services, universities and commercial and industrial establishments, recommendations of the board of regents and any special studies carried on as to the need for any changes in compensation and employee benefits to cover each year of the biennium. The proposal shall also take proper account of prevailing pay rates, costs and standards of living and the state's employment policies. The proposal for such pay adjustments may contain recommendations for across-the-board pay adjustments, merit or other adjustments and employee benefit improvements. Paragraph (b) and sub. (1) (bf) shall apply to the process for approval of all pay adjustments for such employees under ss. 20.923 (4g), (5) and (6) (m) and 230.08 (2) (d). The proposal as approved by the joint committee on employment relations and the governor shall be based upon a percentage of the budgeted salary base for such employees under ss. 20.923 (4g), (5) and (6) (m) and 230.08 (2) (d). The amount included in the proposal for merit and adjustments other than across-the-board pay adjustments is available for discretionary use by the board of regents.”.

**\*b0488/P1.22\* 524.** Page 1312, line 8: after that line insert:

**\*b0488/P1.22\* “SECTION 3019.** 230.35 (2d) (e) of the statutes is amended to read:

230.35 (2d) (e) For employees who are included in a collective bargaining unit for which a representative is recognized or certified under subch. V or VI of ch. 111, this subsection shall apply unless otherwise provided in a collective bargaining agreement.

**\*b0488/P1.22\* SECTION 3020.** 230.35 (3) (e) 6. of the statutes is amended to read:

230.35 (3) (e) 6. For employees who are included in a collective bargaining unit for which a representative is recognized or certified under subch. V or VI of ch. 111, this paragraph shall apply unless otherwise provided in a collective bargaining agreement.

**\*b0488/P1.22\* SECTION 3021.** 230.88 (2) (b) of the statutes is amended to read:

230.88 (2) (b) No collective bargaining agreement supersedes the rights of an employee under this subchapter. However, nothing in this subchapter affects any right of an employee to pursue a grievance procedure under a collective bargaining agreement under subch. V or VI of ch. 111, and if the division of equal rights determines that a grievance arising under such a collective bargaining agreement involves the same parties and matters as a complaint under s. 230.85, it shall order the arbitrator's final award on the merits conclusive as to the rights of the parties to the complaint, on those matters determined in the arbitration which were at issue and upon which the determination necessarily depended.”.

**\*b0336/4.3\* 525.** Page 1316, line 1: delete “\$2,000,000” and substitute “\$2,025,000”.

**\*b0375/1.2\* 526.** Page 1318, line 3: after that line insert:

**\*b0375/1.2\* “SECTION 3033r.** 250.15 (2) (c) of the statutes is amended to read:

250.15 (2) (c) From the appropriation under s. 20.435 (5) (fh), the department shall award ~~\$25,000~~ \$50,000 in each fiscal year as a grant to HealthNet of Janesville, Inc.”.

**\*b0459/1.2\* 527.** Page 1326, line 2: after that line insert:

**\*b0459/1.2\*** “**SECTION 3066h.** 254.715 of the statutes is created to read:

**254.715 Restaurants serving fish. (1)** A restaurant or temporary restaurant may serve fish taken from the wild to the individual who caught the fish, or to his or her guests, without obtaining a permit under s. 29.541 (1) (b) if all of the following conditions are satisfied:

(a) The fish are legally taken.

(b) While the fish are at the restaurant and before the fish are prepared for eating, they are stored in a cooler, which may be a portable cooler, that does not contain any other food.

(c) The area where the fish are prepared for eating is washed and sanitized before and after preparation of the fish.

(d) All items used to prepare and serve the fish are washed in a dishwasher after such use.

**(2)** A restaurant or temporary restaurant may make a pecuniary profit from preparing and serving fish as provided under sub. (1).”.

**\*b0444/1.8\* 528.** Page 1326, line 3: delete lines 3 to 19.

**\*b0471/5.56\* 529.** Page 1327, line 2: after that line insert:

**\*b0471/5.56\*** “**SECTION 3069b.** Chapter 260 of the statutes is created to read:

## **CHAPTER 260**

### **HEALTHY WISCONSIN PLAN**

**260.01 Definitions.** In this chapter, except as otherwise provided:

**(1)** “Authority” means the Healthy Wisconsin Authority.

**(2)** “Board” means the board of trustees of the authority.

(3) “Health care network” means a provider–driven, coordinated group of health care providers comprised of primary care physicians, medical specialists, physician assistants, nurses, clinics, one or more hospitals, and other health care providers and facilities, including providers and facilities that specialize in mental health services and alcohol or other drug abuse treatment.

(4) “Medical inflation” means changes in the consumer price index for all consumers, U.S. city average, for the medical care group, including medical care commodities and medical care services, as determined by the U.S. department of labor.

(5) “Plan” means the Healthy Wisconsin Plan.

(6) “Primary care provider” means a health care provider who is identified as the key professional responsible for coordinating all medical care for a given participant, including referral to a specialist. “Primary care provider” includes general practice physicians, family practitioners, internists, pediatricians, obstetricians and gynecologists, advanced practice nurses, certified nurse midwives, and physician assistants. “Primary care provider” may also include a specialist who is treating a person with a chronic medical condition or special health care needs for which regular treatment by a specialist is medically necessary or a specialist who is treating a disabled person.

**260.05 Creation and organization of authority.** (1) CREATION AND MEMBERSHIP OF BOARD. There is created a public body corporate and politic to be known as the “Healthy Wisconsin Authority.” The nonvoting members of the board shall consist of the secretary of employee trust funds and 4 representatives from the advisory committee under s. 260.49 who are health care personnel and administrators, selected by the advisory committee. The secretary of employee trust

funds shall serve as the initial chairperson of the board until such time as the board elects a chairperson from its voting membership. The board shall also consist of the following voting members, nominated by the governor and with the advice and consent of the senate appointed, for staggered 6–year terms:

(a) Four members selected from a list of names submitted by statewide labor or union coalitions. One of these members shall be a public employee.

(b) Four members selected from a list of names submitted by statewide business and employer organizations. One of these members shall be a public employer.

(c) One member selected from a list of names submitted by statewide public school teacher labor organizations.

(d) One member selected from a list of names submitted by statewide small business organizations.

(e) Two members who are farmers, selected from a list of names submitted by statewide general farm organizations.

(f) One member who is a self–employed person.

(g) Three members selected from a list of names submitted by statewide health care consumer organizations.

**(2) TERMS OF OFFICE; VACANCIES; QUORUM; BUSINESS.** (a) The terms of all members of the board shall expire on July 1.

(b) Each member of the board shall hold office until a successor is appointed and qualified unless the member vacates or is removed from his or her office. A member who serves as a result of holding another office or position vacates his or her office as a member when he or she vacates the other office or position. A member who ceases to qualify for office vacates his or her office. A vacancy on the board shall be



filled in the same manner as the original appointment to the board for the remainder of the unexpired term, if any.

(c) A majority of the members of the board constitutes a quorum for the purpose of conducting its business and exercising its powers and for all other purposes, notwithstanding the existence of any vacancies. Action may be taken by the board upon a vote of a majority of the members present. Meetings of the members of the board may be held anywhere within or without the state.

**(3) BOARD MEMBER RESPONSIBILITY AS TRUSTEE.** Each member of the board shall be responsible for taking care that the highest level of independence and judgment is exercised at all times in administering the plan and overseeing the individuals and organizations selected to implement the plan.

**(4) DUTIES.** The board shall:

(a) Establish and administer a health care system in this state that ensures that all eligible persons have access to high quality, timely, and affordable health care. In establishing and administering the health care system, except as otherwise provided by law, the board shall seek to attain all of the following goals:

1. Every resident of this state shall have access to affordable, comprehensive health care services.

2. Health care reform shall maintain and improve choice of health care providers and high quality health care services in this state.

3. Health care reform shall implement cost containment strategies that retain and assure affordable coverage for all residents of this state.

(b) Establish, fund, and manage the plan as provided in this chapter.

(c) Appoint an executive director, who shall serve at the pleasure of the board.

The board may delegate to one or more of its members or its executive director any

powers and duties the board considers proper. The executive director shall receive such compensation as may be determined by the board.

(d) Provide for mechanisms to enroll every eligible resident in this state under the plan. Contracts entered into by the board with providers shall include provisions to enroll all eligible persons at the point of service, and outreach programs to assure every eligible person becomes enrolled in the plan.

(e) Create a program for consumer protection and a process to resolve disputes with providers.

(f) Establish an independent and binding appeals process for resolving disputes over eligibility and other determinations made by the board. Any person who is adversely affected by a board eligibility determination or any other determination is entitled to judicial review of the determination.

(g) Submit an annual report on its activities to the governor and chief clerk of each house of the legislature, for distribution under s. 13.172 (2).

(h) Contract for annual, independent, program evaluations and financial audits that measure the extent to which the plan is achieving the goals under par. (a) 1. to 3. The board may not enter into a contract with the same auditor for more than 6 years.

(i) Accept bids from health care networks in accordance with the criteria set out in s. 260.30, or make payments to fee-for-service providers in accordance with s. 260.30. The board shall consult with the department of employee trust funds in determining the most effective and efficient way of purchasing health care benefits.

(j) Audit health care networks and providers to determine if their services meet the plan objectives and criteria under this chapter.

**(5) POWERS.** The board shall have all the powers necessary or convenient to carry out the purposes and provisions of this chapter. In addition to all other powers granted the board under this chapter, the board may:

(a) Adopt, amend, and repeal bylaws and policies and procedures for the regulation of its affairs and the conduct of its business.

(b) Have a seal and alter the seal at pleasure.

(c) Maintain an office.

(d) Sue and be sued.

(e) Accept gifts, grants, loans, or other contributions from private or public sources.

(f) Establish the authority's annual budget and monitor the fiscal management of the authority.

(g) Execute contracts and other instruments, including contracts for any professional services required for the authority.

(h) Employ any officers, agents, and employees that it may require and determine their qualifications and compensation.

(i) Procure liability insurance.

(j) Contract for studies on issues, as identified by the board or by the advisory committee under s. 260.49, that relate to the plan.

(k) Borrow money, as necessary on a short-term basis, to address cash flow issues.

(L) Compel witnesses to attend meetings and to testify upon any necessary matter concerning the plan.

**260.10 Eligibility. (1) COVERED PERSONS.** Except as provided in subs. (2) to (5) and subject to sub. (6), a person is eligible to participate in the plan if the person satisfies all of the following criteria:

(a) The person has maintained his or her place of permanent abode, as defined by the board, in this state for at least 12 months.

(b) The person maintains a substantial presence in this state, as defined by the board.

(c) The person is under 65 years of age.

(d) The person is not eligible for health care coverage from the federal government or a foreign government, is not an inmate of a penal facility, as defined in s. 19.32 (1e), and is not placed or confined in, or committed to, an institution for the mentally ill or developmentally disabled.

(e) Unless a waiver requested under sub. (6) (b) has been granted and is in effect, the person is not eligible for Medical Assistance under subch. IV of ch. 49 or for health care coverage under the Badger Care health care program under s. 49.665.

**(2) GAINFULLY EMPLOYED.** If a person and the members of the person's immediate family do not meet the criteria under sub. (1) (a) and (b), but do meet the criteria under sub. (1) (c) to (e) and the person is gainfully employed in this state, as defined by the board, the person and the members of the person's immediate family are eligible to participate in the plan.

**(3) DEPENDENT CHILDREN.** If a child under age 18 resides with his or her parent in this state but the parent does not yet meet the residency requirement under sub. (1) (a), the child is eligible to participate in the plan regardless of the length of time the child has resided in this state.

**(4) PREGNANT WOMEN.** A pregnant woman who resides in this state who does not yet meet the residency requirement under sub. (1) (a) is eligible to participate in the plan regardless of the length of time the pregnant woman has resided in this state.

**(5) COLLECTIVE BARGAINING AGREEMENT.** A person who is eligible to participate in the plan under sub. (1), (2), (3), or (4) and who receives health care coverage under a collective bargaining agreement that is in effect on January 1, 2009, is not eligible to participate in the plan until the day on which the collective bargaining agreement expires or the day on which the collective bargaining agreement is extended, modified, or renewed.

**(6) WAIVER REQUEST.** (a) In this subsection, “department” means the department of health and family services.

(b) 1. The department shall develop a request for a waiver from the secretary of the federal department of health and human services to provide coverage under the plan to individuals who are eligible for Medical Assistance under subch. IV of ch. 49 in the low-income families category, as determined by the department, and to individuals who are eligible for health care coverage under the Badger Care health care program under s. 49.665. The waiver request shall be written so as to allow the use of federal financial participation to fund, to the maximum extent possible, health care coverage under the plan for the individuals specified in this subdivision.

2. The department shall, not later than July 1, 2008, submit the waiver request developed under subd. 1. to a special legislative committee that shall be comprised of the members of the joint committee on finance and the members of the standing committees of the senate and the assembly with subject matter jurisdiction over

health issues. The special legislative committee shall have 60 days to review and comment to the department on the waiver request.

(c) Except as required under par. (b), the department may develop waiver requests to the appropriate federal agencies to permit funds from federal health care services programs to be used for health care coverage for persons under the plan.

**(7) DEFINITIONS OF TERMS.** For purposes of this chapter, the board shall define all of the following terms:

(a) Place of permanent abode.

(b) Substantial presence this state. In defining “substantial presence in this state,” the board shall consider such factors as the amount of time per year that an individual is actually present in the state and the amount of taxes that an individual pays in this state, except that, if the individual attends school outside of this state and is under 23 years of age, the factors shall include the amount of time that the individual’s parent or guardian is actually present in the state and the amount of taxes that the individual’s parent or guardian pays in this state, and if the individual is in active service with the U.S. armed forces outside of this state, the factors shall include the amount of time that the individual’s parent, guardian, or spouse is actually present in the state and the amount of taxes that the individual’s parent, guardian, or spouse pays in this state.

(c) Immediate family.

(d) Gainfully employed. The definition shall include employment by persons who are self-employed and persons who work on farms.

**260.12 Office of outreach, enrollment, and advocacy. (1) ESTABLISHMENT.** The board shall establish an office of outreach, enrollment, and advocacy. The office shall contract with nonprofit organizations to perform the outreach, enrollment, and

advocacy functions specified in this section, and to review the health care payment and services records of persons who are participating, or who are eligible to participate, in the plan and who have provided the office with informed consent for the review. The office may not contract with any organization under this subsection that provides services under the plan or that has any other conflict of interest, as described in sub. (3).

**(2) DUTIES.** The office of outreach, enrollment, and advocacy shall do all of the following:

(a) Engage in aggressive outreach to enroll eligible persons and participants in their choice of health care coverage under the plan.

(b) Assist eligible persons in choosing health care coverage by examining cost, quality, and geographic coverage information regarding their choice of available networks or providers.

(c) Inform plan participants of the role they can play in holding down health care costs by taking advantage of preventive care, enrolling in chronic disease management programs if appropriate, responsibly utilizing medical services, and engaging in healthy lifestyles. The office shall inform participants of networks or workplaces where healthy lifestyle incentives are in place.

(d) At the direction of the board, establish a process for resolving disputes with providers.

(e) Act as an advocate for plan participants having questions, difficulties, or complaints about their health care services or coverage, including investigating and attempting to resolve the complaint. Investigation should include, when appropriate, consulting with the health care advisory committee under s. 260.49 regarding best practice guidelines.

(f) If a participant's complaint cannot be successfully resolved, inform the participant of any legal or other means of recourse for his or her complaint. If the complaint involves a dispute over eligibility or other determinations made by the board, the participant shall be directed to the appeals process for board decisions.

(g) Provide information to the public, agencies, legislators, and others regarding problems and concerns of plan participants and, in consultation with the health care advisory committee under s. 260.49, make recommendations for resolving those problems and concerns.

(h) Ensure that plan participants have timely access to the services provided by the office.

**(3) CONFLICT OF INTEREST LIMITATION.** The office and its employees and contractors shall not have any conflict of interest relating to the performance of their duties. There is a conflict of interest if, with respect to the office's director, employees, or contractors, or a person affiliated with the office's director, employees, or contractors, any of the following exists:

(a) Direct involvement in the licensing, certification, or accreditation of a health care facility, health insurer, or health care provider.

(b) Direct ownership interest or investment interest in a health care facility, health insurer, or health care provider.

(c) Employment by, or participation in, the management of a health care facility, health insurer, or health care provider.

(d) Receipt of, or having the right to receive, directly or indirectly, remuneration under a compensation arrangement with a health care facility, health insurer, or health care provider.



**260.15 Benefits. (1) GENERALLY.** The board shall establish a health care plan that will take effect on January 1, 2009. The plan shall provide the same benefits as those that were in effect as of January 1, 2007, under the state employee health plan under s. 40.51 (6). The board may adjust the plan benefits to provide additional cost-effective treatment options if there is evidence-based research that the options are likely to reduce health care costs, avoid health risks, or result in better health outcomes.

**(2) ADDITIONAL BENEFITS.** In addition to the benefit requirements under sub. (1), the plan shall provide coverage for mental health services and alcohol or other drug abuse treatment to the same extent as the plan covers treatment for physical conditions and coverage for preventive dental care for children up to 18 years of age.

**260.20 Cost sharing. (1) NO COST SHARING.** The plan shall cover the following preventive services without any cost-sharing requirement:

- (a) Prenatal care for pregnant women.
- (b) Well-baby care.
- (c) Medically appropriate examinations and immunizations for children up to 18 years of age.
- (d) Medically appropriate gynecological exams, Papanicolaou tests, and mammograms.
- (e) Medically appropriate regular medical examinations for adults, as determined by best practices.
- (f) Medically appropriate colonoscopies.
- (g) Preventive dental care for children up to 18 years of age.

(h) Other preventive services or procedures, as determined by the board, for which there is scientific evidence that exemption from cost sharing is likely to reduce health care costs or avoid health risks.

(i) Chronic care services, provided that the participant receiving the services is participating in, and complying with, a chronic disease management program as defined by the board.

**(2) DEDUCTIBLES.** (a) *Maximum amounts and who must pay.* 1. Subject to subd. 2., during any year, a participant who is 18 years of age or older on January 1 of that year shall pay a deductible of \$300, which shall apply to all covered services and articles.

2. During any year, a family consisting of 2 or more participants who are 18 years of age or older on January 1 of that year shall pay a deductible of \$600, which shall apply to all covered services and articles.

3. During any year, a participant who is under 18 years of age on January 1 of that year shall not be required to pay a deductible.

4. Except for copayments and coinsurance, the plan shall provide a participant with full coverage for all covered services and articles after the participant has received covered services and articles totaling the applicable deductible amount under this paragraph, regardless of whether the participant has paid the deductible amount.

(b) *Provider requirements.* 1. A provider that provides to a participant a covered service or article to which a deductible applies shall charge for the service or article the payment rate established by the board under s. 260.30 (7) (b) 1. if the participant's coverage is under the fee-for-service option under s. 260.30 (2) (a) or the applicable network rate for the service or article, as determined by the board, if

the participant's coverage is under the health care network option under s. 260.30 (2) (b). Except as provided in subd. 3., a provider of a covered service or article to which a deductible applies shall accept as payment in full for the covered service or article the payment rate specified in this subdivision and may not bill a participant who receives the service or article for any amount by which the charge for the service or article is reduced under this subdivision.

2. Except for prescription drugs, a provider may not refuse to provide to a participant a covered service or article to which a deductible applies on the basis that the participant does not pay, or has not paid, any applicable deductible amount before the service or article is provided.

3. A provider may not charge any interest, penalty, or late fee on any deductible amount owed by a participant unless the deductible amount owed is at least 6 months past due and the provider has provided the participant with notice of the interest, penalty, or late fee at least 90 days before the interest, penalty, or late fee payment is due. Interest may not exceed 1 percent per month, and any penalty or late fee may not exceed the provider's reasonable cost of administering the unpaid bill.

(c) *Adjustments by board.* Notwithstanding par. (a) 1. and 2., the board may adjust the deductible amounts specified in par. (a) 1. and 2., but only to reduce those amounts.

**(3) COPAYMENTS AND COINSURANCE.** (a) *General copayments.* During any year, a participant who is 18 years of age or older on January 1 of that year shall pay a copayment of \$20 for medical, hospital, and related health care services, as determined by the board.

(b) *Specialist provider services without referral.* A participant, regardless of age, who receives health care services from a specialist provider without a referral from his or her primary care provider under the plan shall be required to pay 25 percent of the cost of the services provided.

(c) *Inappropriate emergency room use.* Notwithstanding par. (a), a participant who is 18 years of age or older shall pay a copayment of \$60 for inappropriate emergency room use, as determined by the board.

(d) *Prescription drugs.* 1. All participants, regardless of age, shall pay \$5 for each prescription of a generic drug that is on the formulary determined by the board.

2. All participants, regardless of age, shall pay \$15 for each prescription of a brand-name drug that is on the formulary determined by the board.

3. All participants, regardless of age, shall pay \$40 for each prescription of a brand-name drug that is not on the formulary determined by the board.

4. Notwithstanding subs. 1. to 3., no participant shall pay more for a prescription drug than the actual cost of the prescription drug plus the negotiated dispensing fee.

(e) *Adjustments by board.* Notwithstanding pars. (a) to (d), the board may adjust the copayment and coinsurance amounts specified in pars. (a) to (d).

**(4) MAXIMUM AMOUNTS.** Notwithstanding the deductible, coinsurance, and copayment amounts in subs. (2) and (3), all of the following apply:

(a) Subject to par. (b), a participant who is 18 years of age or older on January 1 of a year may not be required to pay more than \$2,000 during that year in total cost sharing under subs. (2) and (3).

(b) A family consisting of 2 or more participants may not be required to pay more than \$3,000 during a year in total cost sharing under subs. (2) and (3).

**260.30 Service areas; selection and payment of health care providers and health care networks.** (1) ESTABLISHMENT OF AREAS WHERE SERVICES WILL BE PROVIDED. The board may establish areas in the state, which may be counties, multicounty regions, or other areas, for the purpose of receiving bids from health care networks. These areas shall be established so as to maximize the level and quality of competition among health care networks or to increase the number of provider choices available to eligible persons and participants in the areas.

(2) OPTIONS AVAILABLE IN EACH AREA. In each area designated by the board under sub. (1), the board shall offer both of the following options for delivery of health care services under the plan:

(a) An option, known as the “fee-for-service option,” under which participants must choose a primary care provider, may be referred by the primary care provider to any medical specialist, and may be admitted by the primary care provider or specialist to any hospital or other facility, for the purpose of receiving the benefits provided under this chapter. Under this option, the board, with the assistance of one or more administrators chosen by a competitive bidding process and with whom the board has contracted, shall pay directly, at the provider payment rates established by the board under sub. (7) (b) 1., for all health care services and articles that are covered under the plan.

(b) An option under which one or more health care networks that meet the qualifying criteria in sub. (4) and are certified under sub. (5) provide health care services to participants. The board is required to offer this option in each area designated by the board to the extent that qualifying health care networks exist in the area.

**(3) SOLICITATION OF BIDS FROM HEALTH CARE NETWORKS.** The board shall annually solicit sealed risk–adjusted premium bids from competing health care networks for the purpose of offering health care coverage to participants. The board shall request each bidder to submit information pertaining to whether the bidder is a qualifying health care network, as described in sub. (4).

**(4) QUALIFYING HEALTH CARE NETWORKS.** A health care network is qualifying if it does all of the following:

(a) Demonstrates to the satisfaction of the board that the fixed monthly risk–adjusted amount that it bids to provide participants with the health care benefits specified in this chapter reasonably reflects its estimated actual costs for providing participants with such benefits in light of its underlying efficiency as a network, and has not been artificially underbid for the predatory purpose of gaining market share.

(b) Will spend at least 92 percent of the revenue it receives under this chapter on one of the following:

1. Payments to health care providers in order to provide the health care benefits specified in this chapter to participants who choose the health care network.

2. Investments that the health care network has reasonably determined will improve the overall quality or lower the overall cost of patient care.

(c) Ensures all of the following:

1. That participants living in an area that a health care network serves shall not be required to drive more than 30 minutes, or, in a metropolitan area served by mass transit, spend more than 60 minutes using mass transit facilities, in order to reach the offices of at least 2 primary care providers, as defined by the board.

2. That physicians, physician assistants, nurses, clinics, hospitals, and other health care providers and facilities, including providers and facilities that specialize in mental health services and alcohol or other drug abuse treatment, are conveniently available, as defined by the board, to participants living in every part of the area that the health care network serves.

(d) Ensures that participants have access, 24 hours a day, 7 days a week, to a toll-free hotline and help desk that is staffed by persons who live in the area and who have been fully trained to communicate the benefits provided under this chapter and the choices of providers that participants have in using the health care network.

(e) Ensures that each participant who chooses the health care network selects a primary care provider who is responsible for overseeing all of the participant's care.

(f) Will provide each participant with medically appropriate and high-quality health care, including mental health services and alcohol or other drug abuse treatment, in a highly coordinated manner.

(g) Emphasizes, in its policies and operations, the promotion of healthy lifestyles; preventive care, including early identification of and response to high-risk individuals and groups, early identification of and response to health disorders, disease management, including chronic care management, and best practices, including the appropriate use of primary care, medical specialists, medications, and hospital emergency rooms; and the utilization of continuous quality improvement standards and practices that are generally accepted in the medical field.

(h) Has developed and is implementing a program, including providing incentives to providers when appropriate, to promote health care quality, increase the transparency of health care cost and quality information, ensure the

confidentiality of medical information, and advance the appropriate use of technology.

(i) Has entered into shared service agreements with out-of-network medical specialists, hospitals, and other facilities, including medical centers of excellence in the state, through which participants can obtain, at no additional expense to participants beyond the normally required level of cost sharing, the services of out-of-network providers that the network's primary care physicians selected by participants have determined is necessary to ensure medically appropriate and high-quality health care, to facilitate the best outcome, or, without reducing the quality of care, to lower costs.

(j) Has in place a comprehensive, shared, electronic patient records and treatment tracking system and an electronic provider payment system.

(k) Has adopted and implemented a strong policy to safeguard against conflicts of interest.

(L) Has been organized by physicians or other health care providers, a cooperative, or an entity whose mission includes improving the quality and lowering the cost of health care, including the avoidance of unnecessary operating and capital costs arising from inappropriate utilization or inefficient delivery of health care services, unwarranted duplication of services and infrastructure, or creation of excess capacity.

(m) Agrees to enroll and provide the benefits specified in this chapter to all participants who choose the network, regardless of the participant's age, sex, race, religion, national origin, sexual orientation, health status, marital status, disability status, or employment status, except that a health care network may do one of the following:



1. Limit the number of new enrollees it accepts if the health care network certifies to the board that accepting more than a specified number of enrollees would make it impossible to provide all enrollees with the benefits specified in this chapter at the level of quality that the network is committed to maintaining, provided that the health care network uses a random method for deciding which new enrollees it accepts.

2. Limit the participants that it serves to a specific affinity group, such as farmers or teachers, that the health care network has certified to the board, provided that the limitation does not involve discrimination based on any of the factors described in this paragraph and has neither been created for the purpose, nor will have the effect, of screening out higher-risk enrollees. This subdivision applies only to affinity groups that are in existence as of December 31, 2007.

**(5) CERTIFICATION OF HEALTH CARE NETWORKS AND CLASSIFICATION OF BIDS.** (a) The board shall review the bids submitted under sub. (3), the information submitted by bidders pertaining to whether the bidders are qualifying health care networks, and other evidence provided to the board as to whether a particular bidder is a qualifying health care network.

(b) Based on the information about bidder qualification submitted or otherwise provided under par. (a), the board shall certify which health care networks are qualifying health care networks.

(c) With respect to all health care networks that the board certifies under par. (b), the board shall open the submitted, sealed bids at a predetermined time. The board shall classify the certified health care networks according to price and quality measures after comparing their risk-adjusted per-month bids and assessing their quality. The board shall classify the network that bid the lowest price as the

lowest-cost network, and shall classify as a low-cost network any network that has bid a price that is close to the price bid by the lowest-cost network. Any other network shall be classified as a higher-cost network.

**(6) OPEN ENROLLMENT.** The board shall provide an annual open enrollment period during which each participant may select a certified health care network from among those offered, or a fee-for-service option. Coverage shall be effective on the following January 1. A participant who does not select a certified health care network or the fee-for-service option will be assigned randomly to one of the networks that have been classified under sub. (5) as having submitted the lowest or a low bid and as performing well on quality measures, or to the fee-for-service option if that is the lowest-cost option. A participant who selects the fee-for-service option or a certified health care network that has been classified as a higher-cost network, but who fails to pay the additional payment under sub. (7) (a) 2., shall be assigned randomly to one of the networks that has been classified under sub. (5) as the lowest-cost network or as a low-cost network and as performing well on quality measures, or to the fee-for-service option if that is the lowest-cost option.

**(7) PAYMENTS TO NETWORKS AND PROVIDERS.** (a) *Payments to health care networks.* 1. On behalf of each participant who selects or has been assigned to a certified health care network that has been classified under sub. (5) (c) as the lowest-cost network or a low-cost network and as performing well on quality measures, the board shall pay monthly to the health care network the full risk-adjusted per-member per-month amount that was bid by the network. The dollar amount shall be actuarially adjusted for the participant based on age, sex, and other appropriate risk factors determined by the board. A participant who selects

or is assigned to the lowest-cost network or a low-cost network shall not be required to pay any additional amount to the network.

2. If a participant chooses instead to enroll in a certified health care network that has been classified under sub. (5) (c) as a higher-cost network, the board shall pay monthly to the chosen health care network an amount equal to the bid submitted by the network that the board classified under sub. (5) (c) as the lowest-cost network and as having performed well on quality measures. The dollar amount shall be actuarially adjusted for the participant based on age, sex, and other appropriate risk factors determined by the board. A participant who chooses to enroll in a higher-cost network shall be required to pay monthly, in addition to the amount paid by the board, an additional payment sufficient to ensure that the chosen network receives the full price bid by that network.

3. The board may retain a percentage of the dollar amounts established for each participant under subs. 1. and 2. to pay to certified health care networks that have incurred disproportionate risk not fully compensated for by the actuarial adjustment in the amount established for each eligible person. Any payment to a certified health care network under this subdivision shall reflect the disproportionate risk incurred by the health care network.

(b) *Payments to fee-for-service providers.* 1. The board shall establish provider payment rates that will be paid to providers of covered services and articles that are provided to participants who choose the fee-for-service option under sub. (2) (a). The payment rates shall be fair and adequate to ensure that this state is able to retain the highest quality of medical practitioners. The board shall limit increases in the provider payment rate for each service or article such that any increase in per person spending under the plan does not exceed the national rate of medical inflation.

2. Except for deductibles, copayments, coinsurance, and any other cost sharing required or authorized under the plan, a provider of a covered service or article shall accept as payment in full for the covered service or article the payment rate determined under subd. 1. and may not bill a participant who receives the service or article for any amount by which the charge for the service or article is reduced under subd. 1.

3. The board, with the assistance of its actuarial consultants, shall establish the monthly risk-adjusted cost of the fee-for-service option offered to participants under sub. (2) (a). The board shall classify the fee-for-service option in the same manner that the board classifies certified health care networks under sub. (5) (c).

4. If the board has determined under sub. (5) (c) that there is at least one certified low-cost health care network in an area, which may be the lowest-cost health care network, and if the fee-for-service option offered in that area has been classified as a higher-cost choice under subd. 3., the cost to a participant enrolling in the fee-for-service option shall be determined as follows:

a. If there are available to the participant 3 or more certified health care networks classified under sub. (5) (c) as low-cost networks, or as the lowest-cost network and 2 or more low-cost networks, the participant shall pay the difference between the cost of the lowest-cost health care network and the monthly risk-adjusted cost established under subd. 3. for the fee-for-service option, except that the amount paid may not exceed \$100 per month for an individual, or \$200 per month for a family, as adjusted for medical inflation.

b. If there are available to the participant 2 certified health care networks classified under sub. (5) (c) as low-cost networks, or as the lowest-cost network and one low-cost network, the participant shall pay the difference between the cost of the

lowest-cost health care network and the monthly risk-adjusted cost established under subd. 3. for the fee-for-service option, except that the amount paid may not exceed \$65 per month for an individual, or \$125 per month for a family, as adjusted for medical inflation.

c. If there is available to the participant only one certified health care network classified under sub. (5) (c) as a low-cost network, or as the lowest-cost network, the person shall pay the difference between the cost of the lowest-cost health care network and the monthly risk-adjusted cost established under subd. 3. for the fee-for-service option, except that the amount paid may not exceed \$25 per month for an individual, and \$50 per month for a family, as adjusted for medical inflation.

6. If the board has determined, under sub. (5) (c), that there is no certified lowest-cost health care network or low-cost health care network in the area, there shall be no extra cost to the participant enrolling in the fee-for-service option.

**(8) INCENTIVE PAYMENTS TO FEE-FOR-SERVICE PROVIDERS.** Health care providers and facilities providing services under the fee-for-service option under sub. (2) (a) shall be encouraged to collaborate with each other through financial incentives established by the board. Providers shall work with facilities to pool infrastructure and resources; to implement the use of best practices and quality measures; and to establish organized processes that will result in high-quality, low-cost medical care. The board shall establish an incentive payment system to providers and facilities that comply with this subsection, in accordance with criteria established by the board.

**(9) PHARMACY BENEFIT.** Except for prescription drugs to which a deductible applies, the board shall assume the risk for, and pay directly for, prescription drugs provided to participants. In implementing this requirement, the board shall

replicate the prescription drug buying system developed by the group insurance board for prescription drug coverage under the state employee health plan under s. 40.51 (6), unless the board determines that another approach would be more cost-effective. The board may join the prescription drug purchasing arrangement under this chapter with similar arrangements or programs in other states to form a multistate purchasing group to negotiate with prescription drug manufacturers and distributors for reduced prescription drug prices, or to contract with a 3rd party, such as a private pharmacy benefits manager, to negotiate with prescription drug manufacturers and distributors for reduced prescription drug prices.

**260.35 Subrogation.** The board and authority are entitled to the right of subrogation for reimbursement to the extent that a participant may recover reimbursement for health care services and items in an action or claim against any 3rd party.

**260.37 Employer-provided health care benefits.** Nothing in this chapter prevents an employer, or a Taft-Hartley trust on behalf of an employer, from paying all or part of any cost sharing under s. 260.20 or 260.30, or from providing any health care benefits not provided under the plan, for any of the employer's employees.

**260.40 Assessments, individuals and businesses. (1) DEFINITIONS.** In this section:

(a) "Department" means the department of revenue.

(b) "Dependent" means a spouse, an unmarried child under the age of 19 years, an unmarried child who is a full-time student under the age of 21 years and who is financially dependent upon the parent, or an unmarried child of any age who is medically certified as disabled and who is dependent upon the parent.

(c) “Eligible individual” means an individual who is eligible to participate in the plan, other than an employee or a self-employed individual.

(d) “Employee” means an individual who has an employer.

(e) “Employer” means a person who is required under the Internal Revenue Code to file form 941.

(f) “Medical inflation” means the percentage change between the U.S. consumer price index for all urban consumers, U.S. city average, for the medical care group only, including medical care commodities and medical care services, for the month of August of the previous year and the U.S. consumer price index for all urban consumers, U.S. city average, for the medical care group only, including medical care commodities and medical care services, for the month of August 2007, as determined by the U.S. department of labor.

(g) “Poverty line” means the federal poverty line, as defined under 42 USC 9902 (2), for a family the size of the individual’s family.

(h) “Self-employed individual” means an individual who is required under the Internal Revenue Code to file schedule SE.

(i) “Social security wages” means:

1. For purposes of sub. (2) (a), the amount of wages, as defined in section 3121 (a) of the Internal Revenue Code, paid to an employee by an employer in a taxable year, up to a maximum amount that is equal to the social security wage base.

2. For purposes of sub. (2) (b), the amount of net earnings from self-employment, as defined in section 1402 (a) of the Internal Revenue Code, received by an individual in a taxable year, up to a maximum amount that is equal to the social security wage base.

3. For purposes of sub. (3), the amount of wages, as defined in section 3121 (a) of the Internal Revenue Code, paid by an employer in a taxable year with respect to employment, as defined in section 3121 (b) of the Internal Revenue Code, up to a maximum amount that is equal to the social security wage base multiplied by the number of the employer's employees.

**(2) INDIVIDUALS.** Subject to sub. (4), the board shall calculate the following assessments, based on its anticipated revenue needs:

(a) For an employee who is under the age of 65, a percent of social security wages that is at least 2 percent and not more than 4 percent, subject to the following:

1. If the employee has social security wages that are 150 percent or less of the poverty line, the employee may not be assessed.

2. If the employee has no dependents and his or her social security wages are more than 150 percent and 200 percent or less of the poverty line the assessment shall be in an amount, as determined by the board on a sliding scale based on the employee's social security wages, that is between zero percent and 4 percent of the employee's social security wages.

3. If the employee has one or more dependents, or is a single individual who is pregnant, and the employee's social security wages are more than 150 percent and 300 percent or less of the poverty line the assessment shall be in an amount, as determined by the board on a sliding scale based on the employee's social security wages, that is between zero percent and 4 percent of the employee's social security wages.

(b) For a self-employed individual who is under the age of 65, a percent of social security wages that is at least 9 percent and not more than 10 percent.



(c) For an eligible individual who has no social security wages under sub. (1) (i) 1. or 2. or, from an employer, under sub. (1) (i) 3., 10 percent of federal adjusted gross income, up to the maximum amount of income that is subject to social security tax.

**(3) EMPLOYERS.** Subject to sub. (4), the board shall calculate an assessment, based on its anticipated revenue needs, that is a percent of aggregate social security wages that is at least 9 percent and not more than 12 percent.

**(4) COLLECTION AND CALCULATION OF ASSESSMENTS.** (a) For taxable years beginning after December 31, 2008, the department shall impose on, and collect from, individuals the assessment amounts that the board calculates under sub. (2), either through an assessment that is collected as part of the income tax under subch. I of ch. 71, or through another method devised by the department. For taxable years beginning after December 31, 2008, the department shall impose on, and collect from, employers the assessment amounts that the board calculates under sub. (3), either through an assessment that is collected as part of the tax under subch. IV of ch. 71, or through another method devised by the department. Section 71.80 (1) (c), as it applies to ch. 71, applies to the department's imposition and collection of assessments under this section.

(b) The amounts that the department collects under par. (a) shall be deposited into the Healthy Wisconsin trust fund under s. 25.775.

(c) The board may annually increase or decrease the amounts that may be assessed under subs. (2) and (3). No annual increase under this paragraph may exceed the percentage increase for medical inflation unless a greater increase is provided for by law.

**260.49 Advisory committee. (1) DUTIES.** The board shall establish a health care advisory committee to advise the board on all of the following:

- (a) Matters related to promoting healthier lifestyles.
- (b) Promoting health care quality.
- (c) Increasing the transparency of health care cost and quality information.
- (d) Preventive care.
- (e) Early identification of health disorders.
- (f) Disease management.

(g) The appropriate use of primary care, medical specialists, prescription drugs, and hospital emergency rooms.

- (h) Confidentiality of medical information.
- (i) The appropriate use of technology.
- (j) Benefit design.
- (k) The availability of physicians, hospitals, and other providers.
- (L) Reducing health care costs.
- (m) Any other subject assigned to it by the board.
- (n) Any other subject determined appropriate by the committee.

**(2) MEMBERSHIP.** The board shall appoint as members of the committee all of the following individuals:

(a) At least one member designated by the Wisconsin Medical Society, Inc.

(b) At least one member designated by the Wisconsin Academy of Family Physicians.

(c) At least one member designated by the Wisconsin Hospital Association, Inc.

(d) One member designated by the president of the Board of Regents of the University of Wisconsin System who is knowledgeable in the field of medicine and public health.

(e) One member designated by the president of the Medical College of Wisconsin.

(f) Two members designated by the Wisconsin Nurses Association, the Wisconsin Federation of Nurses and Health Professionals, and the Service Employees International Union.

(g) One member designated by the Wisconsin Dental Association.

(h) One member designated by statewide organizations interested in mental health issues.

(i) One member representing health care administrators.

(j) Other members representing health care professionals.”.

**\*b0471/5.57\* 530.** Page 1353, line 13: after that line insert:

**\*b0471/5.57\* “SECTION 3085c.** 285.59 (1) (b) of the statutes is amended to read:

285.59 (1) (b) “State agency” means any office, department, agency, institution of higher education, association, society, or other body in state government created or authorized to be created by the constitution or any law ~~which~~ that is entitled to expend moneys appropriated by law, including the legislature and the courts, the Wisconsin Housing and Economic Development Authority, the Bradley Center Sports and Entertainment Corporation, the University of Wisconsin Hospitals and Clinics Authority, the Fox River Navigational System Authority, the Wisconsin Aerospace Authority, ~~and~~ the Wisconsin Health and Educational Facilities Authority, and the Healthy Wisconsin Authority.”.

**\*b0331/3.18\* 531.** Page 1353, line 22: after that line insert:

**\*b0331/3.18\*** “**SECTION 3086p.** 287.31 (6) of the statutes is amended to read:  
287.31 (6) USE OF REVENUES. The newspaper recycling fees collected under sub.  
(5) shall be deposited in the recycling and renewable energy fund under s. 25.49.”.

**\*b0331/3.19\* 532.** Page 1354, line 3: after that line insert:

**\*b0331/3.19\*** “**SECTION 3088d.** 289.645 (6) of the statutes is amended to read:  
289.645 (6) USE OF RECYCLING FEES. The fees collected under sub. (2) shall be  
deposited in the recycling and renewable energy fund.”.

**\*b0437/1.1\* 533.** Page 1354, line 3: substitute “\$10” for “\$6”.

**\*b0328/2.4\* 534.** Page 1354, line 9: after “July 1, 2007,” insert “85 cents per  
ton for solid waste disposed of after July 1, 2007, and before October 1, 2007, or the  
first day of the 3rd month beginning after the effective date of this paragraph ....  
[revisor inserts date], whichever is later.”.

**\*b0328/2.5\* 535.** Page 1354, line 10: delete “July 1, 2007” and substitute  
“October 1, 2007, or the first day of the 3rd month beginning after the effective date  
of this paragraph .... [revisor inserts date], whichever is later”.

**\*b0435/1.3\* 536.** Page 1356, line 8: after that line insert:

**\*b0435/1.3\*** “**SECTION 3094h.** 292.68 of the statutes is created to read:

**292.68 Reimbursement for disposal of PCB contaminated sediment.**

**(1) DEFINITIONS.** In this section:

(a) “Disposal costs” means the costs of transporting PCB contaminated sediment to a hazardous waste disposal facility, the fees for disposing of the PCB contaminated sediment in the hazardous waste disposal facility, and the cost of any

permits that an applicant is required to obtain in order to transport and dispose of the PCB contaminated sediment.

(b) “PCB contaminated sediment” means sediment that contains polychlorinated biphenyls in a concentration of 50 parts per million or greater and that is dredged from the bed or bank of a navigable water in this state.

(2) PROGRAM. The department shall administer a program to provide reimbursement to certain responsible parties for a portion of costs incurred for disposing of PCB contaminated sediment at an out-of-state hazardous waste disposal facility, as provided in this section.

(3) ELIGIBLE PERSON. A person is eligible for the program under this section if the person is a responsible party, under s. 292.11 or 42 USC 9601 to 9675, for the remediation of PCB contaminated sediment or has entered into a consent decree with the department or the federal environmental protection agency under which the person undertakes the remediation of PCB contaminated sediment.

(4) APPLICATION. A person may seek reimbursement under this section by submitting an application to the department that contains all of the following:

(a) Test results that show that the sediment on which the application is based contains polychlorinated biphenyls in a concentration of 50 parts per million or greater.

(b) Documentation showing that the applicant is an eligible person under sub. (3).

(c) Documentation showing that the PCB contaminated sediment was transported to and disposed of at a licensed hazardous waste disposal facility outside of this state and that disposal occurred on or after May 1, 2007.

(d) Documentation showing the disposal costs, including information concerning the length and other terms of any contract for the disposal of the PCB contaminated sediment, and showing any other costs that the department determines to be reasonably necessary and attributable to the out-of-state disposal.

(e) An estimate, in accordance with sub. (5), of what the disposal costs would be using a facility in this state that is approved for the disposal of sediment that contains polychlorinated biphenyls in a concentration of 50 parts per million or greater.

**(5) ESTIMATE OF IN-STATE DISPOSAL COSTS.** (a) If there is a facility in this state that is approved for the disposal of sediment that contains polychlorinated biphenyls in a concentration of 50 parts per million or greater, an applicant shall make the estimate required by sub. (4) (e) using the disposal costs for that facility.

(b) Except as provided in par. (c), if there is no facility in this state that is approved for the disposal of sediment that contains polychlorinated biphenyls in a concentration of 50 parts per million or greater, an applicant shall make the estimate required by sub. (4) (e) in one of the following ways:

1. Based on the costs of disposing of PCB contaminated sediment at facilities in other states, other than the facility that the applicant uses for disposal of the contaminated sediments, that are comparable to a facility that, if constructed in this state, would meet the applicable state and federal requirements for the disposal of sediment that contains polychlorinated biphenyls in a concentration of 50 parts per million or greater.

2. Based on the costs of constructing and operating a facility in this state that would meet the applicable state and federal requirements for the disposal of

sediment that contains polychlorinated biphenyls in a concentration of 50 parts per million or greater.

(c) If there is no facility in this state that is approved for the disposal of sediment that contains polychlorinated biphenyls in a concentration of 50 parts per million or greater and if the department has accepted, within 2 years of the date that an applicant submits an application, an estimate required by sub. (4) (e) using the method under par. (b) 1., the applicant may use that estimate to satisfy sub. (4) (e).

(d) If an applicant is required to make an estimate under par. (b), the applicant shall include in the application an explanation of the method used to estimate the cost of transporting the PCB contaminated sediment to a facility in this state.

**(6) NOTIFICATION OF COMPLETENESS.** When the department receives an application under sub. (4), the department shall notify the claimant whether the application is complete and, if the application is not complete, the information that the applicant must submit to complete the application.

**(7) DECISION ON APPLICATION.** (a) Subject to pars. (b) and (c), the department shall approve a complete application that complies with sub. (4) and the rules promulgated under sub. (11) if the department determines that the disposal costs incurred by the applicant and any other costs that the department determines to be reasonably necessary and attributable to the out-of-state disposal exceed what the disposal costs would be using a facility in this state that meets the applicable state and federal requirements for the disposal of sediment that contains polychlorinated biphenyls in a concentration of 50 parts per million or greater.

(b) The department may only approve reimbursement for costs incurred on or after the first day of the 24th month before the month in which the application is submitted.

(c) The department shall deny an application if the department determines that the application is fraudulent.

**(8) REIMBURSEMENT.** (a) Except as provided in par. (b), if the department approves an application under sub. (4), the department shall, within 60 days of receiving the complete application, pay the applicant an amount equal to 95 percent of the amount by which the sum of the approved costs exceeds what the disposal costs would be using a facility in this state that meets the applicable state and federal requirements for the disposal of sediment that contains polychlorinated biphenyls in a concentration of 50 parts per million or greater.

(b) If the amount determined under par. (a) exceeds the amount available in the appropriation account under 20.370 (6) (ev), the department shall pay the excess when additional funds become available.

**(9) REVIEW OF DECISION.** (a) No later than the 30th day after the day on which the department approves or denies an application under sub. (4), the applicant may submit a petition for reconsideration to the secretary. The secretary shall issue a decision on whether to grant the petition no later than the 20th day after the day on which the applicant submits the petition. If the secretary grants the petition, the secretary shall meet with the applicant and employees of the department and shall issue a decision on the reconsideration no later than the 30th day after the day of the meeting.

(b) No later than the 30th day after the day on which the department approves or denies an application under sub. (4) or, if the applicant petitioned for reconsideration under par. (a), no later than the 30th day after the day on which the secretary denied the petition or issued a decision on reconsideration, the applicant may request a contested case hearing under ch. 227.



(c) No later than the 30th day after the day on which the department approves or denies an application under sub. (4) or, if the applicant petitioned for reconsideration under par. (a), no later than the 30th day after the day on which the secretary denied the petition or issued a decision on reconsideration, or, if the applicant requested a contested case hearing under ch. 227, no later than the 30th day after the day on which the final decision on the contested case is issued, an applicant may petition for judicial review of the department's decision on the application.

**(10) EFFECT OF PROGRAM.** (a) The availability of reimbursement under this section is not a bar to any other statutory or common law remedy for a responsible party to recover costs of disposing of PCB contaminated sediment. A responsible party is not required to seek reimbursement under this section before seeking any other statutory or common law remedy.

(b) Findings and conclusions under this section are not admissible in any civil action.

**(11) RULES.** The department shall promulgate rules specifying procedures for the submission, review, and approval of claims under this section.”.

**\*b0341/2.10\* 537.** Page 1357, line 17: after that line insert:

**\*b0341/2.10\* “SECTION 3100.** 301.03 (3) of the statutes is amended to read:

301.03 **(3)** Administer parole, extended supervision and probation matters, except that the decision to grant or deny parole or to grant or terminate extended supervision under s. 304.06 (1) (b) to inmates shall be made by the parole earned release review commission and the decision to revoke probation, extended supervision or parole in cases in which there is no waiver of the right to a hearing

shall be made by the division of hearings and appeals in the department of administration. The secretary may grant special action parole releases under s. 304.02. The department shall promulgate rules establishing a drug testing program for probationers, parolees and persons placed on extended supervision. The rules shall provide for assessment of fees upon probationers, parolees and persons placed on extended supervision to partially offset the costs of the program.”.

**\*b0341/2.11\* 538.** Page 1357, line 23: after that line insert:

**\*b0341/2.11\*** “SECTION 3101. 301.0465 (3) (a) 4. of the statutes is amended to read:

301.0465 (3) (a) 4. He or she is serving an indeterminate sentence and the parole earned release review commission has authorized his or her release on parole within the next 6 months.

**\*b0341/2.11\* SECTION 3102.** 301.048 (2) (am) 3. of the statutes is amended to read:

301.048 (2) (am) 3. The parole earned release review commission grants him or her parole under s. 304.06 and requires his or her participation in the program as a condition of parole under s. 304.06 (1x).”.

**\*b0341/2.12\* 539.** Page 1358, line 18: after that line insert:

**\*b0341/2.12\*** “SECTION 3106. 301.21 (1m) (c) of the statutes is amended to read:

301.21 (1m) (c) Any hearing to consider parole or whether to grant or terminate extended supervision, if the prisoner is sentenced under s. 973.01 for a Class F to a Class I felony to which an inmate confined under this contract may be entitled by the

laws of Wisconsin will be conducted by the Wisconsin parole earned release review commission under rules of the department.

**\*b0341/2.12\* SECTION 3107.** 301.21 (2m) (c) of the statutes is amended to read:

301.21 **(2m)** (c) Any hearing to consider parole or whether to grant or terminate extended supervision, if the prisoner is sentenced under s. 973.01 for a Class F to a Class I felony to which a prisoner confined under a contract under this subsection may be entitled by the laws of Wisconsin shall be conducted by the Wisconsin parole earned release review commission under rules of the department.”.

**\*b0524/P1.1\* 540.** Page 1371, line 16: delete “has received” and substitute “receives”.

**\*b0341/2.13\* 541.** Page 1374, line 20: after that line insert:

**\*b0341/2.13\* “SECTION 3167.** 302.045 (3) of the statutes is amended to read:

302.045 **(3)** PAROLE ELIGIBILITY. Except as provided in sub. (4), if the department determines that an inmate serving a sentence other than one imposed under s. 973.01 has successfully completed the challenge incarceration program, the parole earned release review commission shall parole the inmate for that sentence under s. 304.06, regardless of the time the inmate has served. When the parole earned release review commission grants parole under this subsection, it must require the parolee to participate in an intensive supervision program for drug abusers as a condition of parole.”.

**\*b0341/2.14\* 542.** Page 1375, line 2: after that line insert:

**\*b0341/2.14\* “SECTION 3169.** 302.05 (3) (b) of the statutes is amended to read:

302.05 **(3)** (b) Except as provided in par. (d), if the department determines that an eligible inmate serving a sentence other than one imposed under s. 973.01 has

successfully completed a treatment program described in sub. (1), the ~~parole~~ earned release review commission shall parole the inmate for that sentence under s. 304.06, regardless of the time the inmate has served. If the ~~parole~~ earned release review commission grants parole under this paragraph, it shall require the parolee to participate in an intensive supervision program for drug abusers as a condition of parole.

**\*b0341/2.14\* SECTION 3170.** 302.11 (1g) (b) (intro.) of the statutes is amended to read:

302.11 **(1g)** (b) (intro.) Before an incarcerated inmate with a presumptive mandatory release date reaches the presumptive mandatory release date specified under par. (am), the ~~parole~~ earned release review commission shall proceed under s. 304.06 (1) to consider whether to deny presumptive mandatory release to the inmate. If the ~~parole~~ earned release review commission does not deny presumptive mandatory release, the inmate shall be released on parole. The ~~parole~~ earned release review commission may deny presumptive mandatory release to an inmate only on one or more of the following grounds:

**\*b0341/2.14\* SECTION 3171.** 302.11 (1g) (b) 2. of the statutes is amended to read:

302.11 **(1g)** (b) 2. Refusal by the inmate to participate in counseling or treatment that the social service and clinical staff of the institution determines is necessary for the inmate, including pharmacological treatment using an antiandrogen or the chemical equivalent of an antiandrogen if the inmate is a serious child sex offender as defined in s. 304.06 (1q) (a). The ~~parole~~ earned release review commission may not deny presumptive mandatory release to an inmate because of the inmate's refusal to participate in a rehabilitation program under s. 301.047.

**\*b0341/2.14\* SECTION 3172.** 302.11 (1g) (c) of the statutes is amended to read:

302.11 (1g) (c) If the parole earned release review commission denies presumptive mandatory release to an inmate under par. (b), the parole earned release review commission shall schedule regular reviews of the inmate's case to consider whether to parole the inmate under s. 304.06 (1).

**\*b0341/2.14\* SECTION 3173.** 302.11 (1g) (d) of the statutes is amended to read:

302.11 (1g) (d) An inmate may seek review of a decision by the parole earned release review commission relating to the denial of presumptive mandatory release only by the common law writ of certiorari.

**\*b0341/2.14\* SECTION 3174.** 302.11 (1m) of the statutes is amended to read:

302.11 (1m) An inmate serving a life term is not entitled to mandatory release. Except as provided in ss. 939.62 (2m) (c) and 973.014, the parole earned release review commission may parole the inmate as specified in s. 304.06 (1).

**\*b0341/2.14\* SECTION 3175.** 302.11 (7) (c) of the statutes is amended to read:

302.11 (7) (c) The parole earned release review commission may subsequently parole, under s. 304.06 (1), and the department may subsequently parole, under s. 304.02, a parolee who is returned to prison for violation of a condition of parole.

**\*b0341/2.14\* SECTION 3176.** 302.113 (2) of the statutes is amended to read:

302.113 (2) Except as provided in subs. (3) and (9), an inmate subject to this section is entitled to release to extended supervision after he or she has served the term of confinement in prison portion of the sentence imposed under s. 973.01, as modified by the sentencing court under sub. (9g) or s. 302.045 (3m) (b) 1., 302.05 (3) (c) 2. a., or 973.195 (1r), if applicable, or as adjusted by the earned release review commission under s. 304.06 (1) (b).”

**\*b0342/2.1\* 543.** Page 1375, line 2: after that line insert:

**\*b0342/2.1\*** “**SECTION 3177.** 302.113 (8m) (b) of the statutes is amended to read:

302.113 **(8m)** (b) If a person released to extended supervision under this section signs a statement admitting a violation of a condition or rule of extended supervision, the department may, as a sanction for the violation, confine the person for up to 90 days in a facility owned or operated by the department, in a regional detention facility or, with the approval of the sheriff, in a county jail, in a Huber facility under s. 303.09, or in a work camp under s. 303.10. If the department confines the person in a county jail under this paragraph, the department shall reimburse the county for its actual costs in confining the person from the appropriations under s. 20.410 (1) (ab) and (b). Notwithstanding s. 302.43, the person is not eligible to earn good time credit on any period of confinement imposed under this subsection.”.

**\*b0341/2.15\* 544.** Page 1376, line 15: after that line insert:

**\*b0341/2.15\*** “**SECTION 3181.** 304.01 (title) of the statutes is amended to read:

**304.01** (title) **Parole Earned release review commission and commission chairperson; general duties.**

**\*b0341/2.15\*** **SECTION 3182.** 304.01 (1) of the statutes is amended to read:

304.01 **(1)** The chairperson of the parole earned release review commission shall administer and supervise the commission and its activities and shall be the final ~~parole granting authority for granting parole, release to extended supervision, or termination of extended supervision,~~ except as provided in s. 304.02 or 973.195.

**\*b0341/2.15\*** **SECTION 3183.** 304.01 (2) (intro.) of the statutes is amended to read:

304.01 (2) (intro.) The parole earned release review commission shall conduct regularly scheduled interviews to consider the parole or release to extended supervision of eligible inmates of the adult correctional institutions under the control of the department of corrections, eligible inmates transferred under ch. 51 and under the control of the department of health and family services and eligible inmates in any county house of correction. The department of corrections shall provide all of the following to the parole earned release review commission:

**\*b0341/2.15\* SECTION 3184.** 304.01 (2) (b) of the statutes is amended to read:

304.01 (2) (b) Scheduling assistance for parole interviews for prisoners who have applied for parole or release to extended supervision at the correctional institutions.

**\*b0341/2.15\* SECTION 3185.** 304.01 (2) (c) of the statutes is amended to read:

304.01 (2) (c) Clerical support related to the parole interviews for prisoners who have applied for parole or release to extended supervision.

**\*b0341/2.15\* SECTION 3186.** 304.01 (2) (d) of the statutes is amended to read:

304.01 (2) (d) Appropriate physical space at the correctional institutions to conduct the parole interviews for prisoners who have applied for parole or release to extended supervision.

**\*b0341/2.15\* SECTION 3187.** 304.06 (title) of the statutes is amended to read:

**304.06 (title) ~~Paroles~~ Release to parole or extended supervision from state prisons and house of correction; termination of extended supervision.**

**\*b0341/2.15\* SECTION 3188.** 304.06 (1) (b) of the statutes is amended to read:

304.06 (1) (b) Except as provided in s. 961.49 (2), 1999 stats., sub. (1m) or s. 302.045 (3), 302.05 (3) (b), 973.01 (6), or 973.0135, the parole earned release review commission may parole an inmate of the Wisconsin state prisons or any felon or any

person serving at least one year or more in a county house of correction or a county reforestation camp organized under s. 303.07, when he or she has served 25% of the sentence imposed for the offense, or 6 months, whichever is greater. The earned release review board may release to extended supervision a person sentenced under s. 973.01 for a Class F to a Class I felony after the person has served at least 75 percent of the term of confinement in prison portion of the sentence, and may terminate extended supervision of a person sentenced under s. 973.01 for a Class F to a Class I felony after the person has completed 75 percent of his or her extended supervision portion of the sentence. Except as provided in s. 939.62 (2m) (c) or 973.014 (1) (b) or (c), (1g) or (2), the parole earned release review commission may parole an inmate serving a life term when he or she has served 20 years, as modified by the formula under s. 302.11 (1) and subject to extension under s. 302.11 (1q) and (2), if applicable. The person serving the life term shall be given credit for time served prior to sentencing under s. 973.155, including good time under s. 973.155 (4). The secretary may grant special action parole releases under s. 304.02. The department or the parole earned release review commission shall not provide any convicted offender or other person sentenced to the department's custody any parole eligibility or evaluation for parole or release to extended supervision until the person has been confined at least 60 days following sentencing.

**\*b0341/2.15\* SECTION 3189.** 304.06 (1) (bn) of the statutes is created to read:

304.06 (1) (bn) The earned release review commission may consider any of the following as a ground for a petition under par. (b) for sentence reduction by a person who is sentenced under s. 973.01 for a Class F to Class I felony:



1. The inmate's conduct, efforts at and progress in rehabilitation, or participation and progress in education, treatment, or other correctional programs since he or she was sentenced.

2. A change in law or procedure related to sentencing or revocation of extended supervision effective after the inmate was sentenced that would have resulted in a shorter term of confinement in prison or, if the inmate was returned to prison upon revocation of extended supervision, a shorter period of confinement in prison upon revocation, if the change had been applicable when the inmate was sentenced.

3. The inmate is subject to a sentence of confinement in another state or the inmate is in the United States illegally and may be deported.

4. Sentence adjustment is otherwise in the interests of justice.

**\*b0341/2.15\* SECTION 3190.** 304.06 (1) (br) of the statutes is created to read:

304.06 (1) (br) 1. Except as provided under subd. 2., the earned release review commission may reduce the term of confinement of a person who is sentenced under s. 973.01 for a Class F to Class I felony only as follows:

a. If the inmate is serving the term of confinement in prison portion of the sentence, a reduction in the term of confinement in prison by the amount of time remaining in the term of confinement in prison portion of the sentence, less up to 30 days, and a corresponding increase in the term of extended supervision.

b. If the inmate is confined in prison upon revocation of extended supervision, a reduction in the amount of time remaining in the period of confinement in prison imposed upon revocation, less up to 30 days, and a corresponding increase in the term of extended supervision.

2. a. If the earned release review commission adjusts a sentence under subd. 1. on the basis of a change in law or procedure as provided under par. (bn) 2. and the

total sentence length of the adjusted sentence is greater than the maximum sentence length that the offender could have received if the change in law or procedure had been applicable when the inmate was originally sentenced, the earned release review commission may reduce the length of the term of extended supervision so that the total sentence length does not exceed the maximum sentence length that the offender could have received if the change in law or procedure had been applicable when the inmate was originally sentenced.

b. If the earned release review commission adjusts a sentence under subd. 1. on the basis of a change in law or procedure as provided under par. (bn) 2. and the adjusted term of extended supervision is greater than the maximum term of extended supervision that the offender could have received if the change in law or procedure had been applicable when the inmate was originally sentenced, the earned release review commission may reduce the length of the term of extended supervision so that the term of extended supervision does not exceed the maximum term of extended supervision that the offender could have received if the change in law or procedure had been applicable when the inmate was originally sentenced.

**\*b0341/2.15\* SECTION 3191.** 304.06 (1) (bu) of the statutes is created to read:

304.06 (1) (bu) An inmate who is sentenced under s. 973.01 for a Class F to Class I felony may submit only one petition under this subsection for each sentence imposed under s. 973.01.

**\*b0341/2.15\* SECTION 3192.** 304.06 (1) (c) (intro.) of the statutes is amended to read:

304.06 (1) (c) (intro.) If an inmate applies for parole, release to extended supervision, or termination of extended supervision under this subsection, the

~~parole~~ earned release review commission shall make a reasonable attempt to notify the following, if they can be found, in accordance with par. (d):

**\*b0341/2.15\* SECTION 3193.** 304.06 (1) (d) 1. of the statutes is amended to read:

304.06 (1) (d) 1. The notice under par. (c) shall inform the offices and persons under par. (c) 1. to 3. of the manner in which they may provide written statements under this subsection, shall inform persons under par. (c) 3. of the manner in which they may attend interviews or hearings and make statements under par. (eg) and shall inform persons under par. (c) 3. who are victims, or family members of victims, of crimes specified in s. 940.01, 940.03, 940.05, 940.225 (1) ~~or~~ (2), or (3), 948.02 (1) or (2), 948.025, 948.06 or 948.07 of the manner in which they may have direct input in the ~~parole~~ decision-making process under par. (em) for parole, release to extended supervision, or termination of extended supervision. The ~~parole~~ earned release review commission shall provide notice under this paragraph for an inmate's first application for ~~parole, release to extended supervision, or termination of extended supervision~~ parole, release to extended supervision, or termination of extended supervision and, upon request, for subsequent applications for parole.

**\*b0341/2.15\* SECTION 3194.** 304.06 (1) (e) of the statutes is amended to read:

304.06 (1) (e) The ~~parole~~ earned release review commission shall permit any office or person under par. (c) 1. to 3. to provide written statements. The ~~parole~~ earned release review commission shall give consideration to any written statements provided by any such office or person and received on or before the date specified in the notice. This paragraph does not limit the authority of the ~~parole~~ earned release review commission to consider other statements or information that it receives in a timely fashion.

**\*b0341/2.15\* SECTION 3195.** 304.06 (1) (eg) of the statutes is amended to read:

304.06 (1) (eg) The parole earned release review commission shall permit any person under par. (c) 3. to attend any interview or hearing on the parole application for parole, release to extended supervision, or termination of extended supervision of an applicable inmate and to make a statement at that interview or hearing.

**\*b0341/2.15\* SECTION 3196.** 304.06 (1) (em) of the statutes is amended to read:

304.06 (1) (em) The parole earned release review commission shall promulgate rules that provide a procedure to allow any person who is a victim, or a family member of a victim, of a crime specified in s. 940.01, 940.03, 940.05, 940.225 (1) or (2), or (3), 948.02 (1) or (2), 948.025, 948.06 or 948.07 to have direct input in the parole decision-making process for parole, release to extended supervision, or termination of extended supervision.

**\*b0341/2.15\* SECTION 3197.** 304.06 (1) (f) of the statutes is amended to read:

304.06 (1) (f) The parole earned release review commission shall design and prepare cards for persons specified in par. (c) 3. to send to the commission. The cards shall have space for these persons to provide their names and addresses, the name of the applicable prisoner and any other information the parole earned release review commission determines is necessary. The parole earned release review commission shall provide the cards, without charge, to district attorneys. District attorneys shall provide the cards, without charge, to persons specified in par. (c) 3. These persons may send completed cards to the parole earned release review commission. All commission records or portions of records that relate to mailing addresses of these persons are not subject to inspection or copying under s. 19.35 (1). Before any written statement of a person specified in par. (c) 3. is made a part of the documentary record considered in connection with a parole hearing for parole, release to extended supervision, or termination of extended supervision under this

section, the parole earned release review commission shall obliterate from the statement all references to the mailing addresses of the person. A person specified in par. (c) 3. who attends an interview or hearing under par. (eg) may not be required to disclose at the interview or hearing his or her mailing addresses.

**\*b0341/2.15\* SECTION 3198.** 304.06 (1) (g) of the statutes is amended to read:

304.06 (1) (g) Before a person is released on parole or released to extended supervision under this subsection, the parole earned release review commission shall so notify the municipal police department and the county sheriff for the area where the person will be residing. The notification requirement under this paragraph does not apply if a municipal department or county sheriff submits to the parole earned release review commission a written statement waiving the right to be notified. If applicable, the department shall also comply with s. 304.063.

**\*b0341/2.15\* SECTION 3199.** 304.06 (1m) (intro.) of the statutes is amended to read:

304.06 (1m) (intro.) The parole earned release review commission may waive the 25% or 6-month service of sentence requirement under sub. (1) (b) under any of the following circumstances:

**\*b0341/2.15\* SECTION 3200.** 304.06 (1q) (b) of the statutes is amended to read:

304.06 (1q) (b) The parole earned release review commission or the department may require as a condition of parole or that a serious child sex offender undergo pharmacological treatment using an antiandrogen or the chemical equivalent of an antiandrogen. This paragraph does not prohibit the department from requiring pharmacological treatment using an antiandrogen or the chemical equivalent of an antiandrogen as a condition of probation.

**\*b0341/2.15\* SECTION 3201.** 304.06 (1q) (c) of the statutes is amended to read:

304.06 (1q) (c) In deciding whether to grant a serious child sex offender release on parole under this subsection, the parole earned release review commission may not consider, as a factor in making its decision, that the offender is a proper subject for pharmacological treatment using an antiandrogen or the chemical equivalent of an antiandrogen or that the offender is willing to participate in pharmacological treatment using an antiandrogen or the chemical equivalent of an antiandrogen.

**\*b0341/2.15\* SECTION 3202.** 304.06 (1x) of the statutes is amended to read:

304.06 (1x) The parole earned release review commission may require as a condition of parole that the person is placed in the intensive sanctions program under s. 301.048. In that case, the person is in the legal custody of the department under that section and is subject to revocation of parole under sub. (3).

**\*b0341/2.15\* SECTION 3203.** 304.06 (2m) (d) of the statutes is amended to read:

304.06 (2m) (d) The parole earned release review commission or the department shall determine a prisoner's county of residence for the purposes of this subsection by doing all of the following:

1. The parole earned release review commission or the department shall consider residence as the voluntary concurrence of physical presence with intent to remain in a place of fixed habitation and shall consider physical presence as prima facie evidence of intent to remain.

2. The parole earned release review commission or the department shall apply the criteria for consideration of residence and physical presence under subd. 1. to the facts that existed on the date that the prisoner committed the serious sex offense that resulted in the sentence the prisoner is serving.

**\*b0341/2.15\* SECTION 3204.** 304.071 (1) of the statutes is amended to read:

304.071 (1) The parole earned release review commission may at any time grant a parole or release to extended supervision to any prisoner in any penal institution of this state, or the department may at any time suspend the supervision of any person who is on probation ~~or~~ parole, or extended supervision to the department, if the prisoner or person on probation ~~or~~ parole, or extended supervision is eligible for induction into the U.S. armed forces. The suspension of parole, extended supervision, or probation shall be for the duration of his or her service in the armed forces; and the parole, extended supervision, or probation shall again become effective upon his or her discharge from the armed forces in accordance with regulations prescribed by the department. If he or she receives an honorable discharge from the armed forces, the governor may discharge him or her and the discharge has the effect of a pardon. Upon the suspension of parole, extended supervision, or probation by the department, the department shall issue an order setting forth the conditions under which the parole, extended supervision, or probation is suspended, including instructions as to where and when and to whom the ~~paroled~~ person on parole or extended supervision shall report upon discharge from the armed forces.”.

**\*b0522/1.6\* 545.** Page 1376, line 16: delete the material beginning with that line and ending with page 1393, line 3.

**\*b0323/1.1\* 546.** Page 1393, line 13: after that line insert:

**\*b0323/1.1\* “SECTION 3209b.** 341.25 (2) (cm) to (q) of the statutes are amended to read:

341.25 (2) (cm) Not more than 10,000 . . . . . ~~119.50~~ 131.00

(d) Not more than 12,000 . . . . . ~~161.00~~ 177.00

(e) Not more than 16,000 .....	<del>218.00</del>	<u>240.00</u>
(f) Not more than 20,000 .....	<del>274.00</del>	<u>301.00</u>
(g) Not more than 26,000 .....	<del>365.50</del>	<u>402.00</u>
(h) Not more than 32,000 .....	<del>468.50</del>	<u>515.00</u>
(i) Not more than 38,000 .....	<del>593.50</del>	<u>653.00</u>
(j) Not more than 44,000 .....	<del>708.50</del>	<u>779.00</u>
(k) Not more than 50,000 .....	<del>818.00</del>	<u>900.00</u>
(km) Not more than 54,000 .....	<del>873.00</del>	<u>960.00</u>
(L) Not more than 56,000 .....	<del>930.00</del>	<u>1023.00</u>
(m) Not more than 62,000 .....	<del>1,051.50</del>	<u>1,157.00</u>
(n) Not more than 68,000 .....	<del>1,187.00</del>	<u>1,306.00</u>
(o) Not more than 73,000 .....	<del>1,350.00</del>	<u>1,485.00</u>
(p) Not more than 76,000 .....	<del>1,600.50</del>	<u>1,761.00</u>
(q) Not more than 80,000 .....	<del>1,969.50</del>	<u>2,166.00</u> ".

**\*b0522/1.7\* 547.** Page 1393, line 14: delete the material beginning with that line and ending with page 1404, line 9.

**\*b0522/1.8\* 548.** Page 1405, line 8: delete the material beginning with that line and ending with page 1406, line 9.

**\*b0522/1.9\* 549.** Page 1407, line 11: delete the material beginning with that line and ending with page 1408, line 18.

**\*b0373/P3.10\* 550.** Page 1430, line 25: after that line insert:

**\*b0373/P3.10\*** "SECTION 3348. 343.33 (2) of the statutes is amended to read:  
343.33 (2) Upon the hearing, the department or its a hearing examiner may administer oaths, issue subpoenas for the attendance of witnesses and the



production of relevant books and papers and may require a reexamination of the licensee. No law enforcement officer or other witness produced by the person who has requested a hearing to testify on his or her behalf shall be paid a witness fee by the department nor shall any law enforcement officer called to appear for the department be paid any witness fee. All testimony shall be taken and transcribed.”.

**\*b0522/1.10\* 551.** Page 1440, line 17: delete the material beginning with that line and ending with page 1441, line 13.

**\*b0522/1.11\* 552.** Page 1444, line 22: delete the material beginning with that line and ending with page 1445, line 13.

**\*b0329/1.2\* 553.** Page 1445, line 13: after that line insert:

**\*b0329/1.2\*** “**SECTION 3420.** 345.11 (1m) of the statutes is amended to read:

345.11 **(1m)** The uniform traffic citation or the citation form under s. 23.54 shall be used for violations of ch. 350 relating to highway use or ordinances in conformity therewith when committed on the highway, but no points may be assessed against the driving record of the operator of a snowmobile. When the uniform traffic citation is used, the report of conviction shall be forwarded to the department. When the citation form under s. 23.54 is used, the procedure in ss. 23.50 to 23.85 applies.

**\*b0329/1.2\* SECTION 3421.** 345.11 (1r) of the statutes is amended to read:

345.11 **(1r)** The uniform traffic citation or the citation form under s. 23.54 shall be used for violations of s. 23.33 relating to highway use or ordinances in conformity with that section if the violation is committed on a highway, but no points may be assessed against the driving record of the operator of an all-terrain vehicle. When the uniform traffic citation is used, the report of conviction shall be forwarded to the

department. When the citation form under s. 23.54 is used, the procedure in ss. 23.50 to 23.85 applies.”.

**\*b0522/1.12\* 554.** Page 1446, line 1: delete the material beginning with that line and ending with page 1450, line 7.

**\*b0522/1.13\* 555.** Page 1452, line 4: delete lines 4 to 17.

**\*b0480/3.2\* 556.** Page 1454, line 3: after that line insert:

**\*b0480/3.2\*** “SECTION 3449. 440.03 (9) (intro.) of the statutes is renumbered 440.03 (9) (a) (intro.) and amended to read:

440.03 (9) (a) (intro.) The Subject to pars. (b) and (c), the department shall include all of the following with each biennial budget request that it makes under s. 16.42, biennially, determine each fee for an initial credential for which no examination is required, for a reciprocal credential, and for a credential renewal by doing all of the following:

**\*b0480/3.2\* SECTION 3450.** 440.03 (9) (a) of the statutes is renumbered 440.03 (9) (a) 1. and amended to read:

440.03 (9) (a) 1. ~~A recalculation of~~ Recalculating the administrative and enforcement costs of the department that are attributable to the regulation of each occupation or business under chs. 440 to 480 ~~and that are included in the budget request.”.~~

**\*b0480/3.3\* 557.** Page 1454, line 4: delete lines 4 to 23 and substitute:

**\*b0480/3.3\*** “SECTION 3451. 440.03 (9) (b) of the statutes is renumbered 440.03 (9) (a) 2. and amended to read:

440.03 (9) (a) 2. ~~A recommended change to~~ Not later than January 31 of each odd-numbered year, adjusting for the succeeding fiscal biennium each fee specified

~~under s. 440.05 (1) for an initial credential for which an examination is not required, under s. 440.05 (2) for a reciprocal credential, and under, subject to s. 440.08 (2) (a), for a credential renewal, if the change an adjustment is necessary to reflect the approximate administrative and enforcement costs of the department that are attributable to the regulation of the particular occupation or business during the period in which the initial or reciprocal credential or credential renewal is in effect and, for purposes of ~~the recommended change to each fee specified under s. 440.08 (2) (a)~~ for a credential renewal, to reflect an estimate of any additional moneys available for the department's general program operations, ~~during the budget period to which the biennial budget request applies,~~ as a result of appropriation transfers that have been or are estimated to be made under s. 20.165 (1) (i) ~~prior to and during that budget period~~ during the fiscal biennium in progress at the time of the deadline for an adjustment under this subdivision or during the fiscal biennium beginning on the July 1 immediately following the deadline for an adjustment under this subdivision.~~

(b) The department may not recommend an initial credential fee that exceeds the amount of the fee that the department recommends for a renewal of the same credential, if no examination is required for the initial credential.

**\*b0480/3.3\* SECTION 3452.** 440.03 (9) (c) of the statutes is created to read:

440.03 **(9)** (c) The cemetery board may by rule impose a fee in addition to the renewal fee determined by the department under this subsection for renewal of a license granted under s. 440.91 (1).

**\*b0480/3.3\* SECTION 3453.** 440.03 (9) (d) of the statutes is created to read:

440.03 **(9)** (d) Not later than 14 days after completing proposed fee adjustments under par. (a), the department shall send a report detailing the proposed fee

adjustments to the cochairpersons of the joint committee on finance. If, within 14 working days after the date that the department submits the report, the cochairpersons of the committee notify the secretary that the committee has scheduled a meeting for the purpose of reviewing the proposed adjustments, the department may not impose the fee adjustments until the committee approves the report. If the cochairpersons of the committee do not notify the secretary, the department shall notify credential holders of the fee adjustments by posting the fee adjustments on the department's Internet Web site and in credential renewal notices sent to affected credential holders under s. 440.08 (1).”.

**\*b0480/3.4\* 558.** Page 1455, line 20: after that line insert:

**\*b0480/3.4\* “SECTION 3458.** 440.03 (14) (a) 1. c. of the statutes is amended to read:

440.03 (14) (a) 1. c. The person pays the initial credential fee ~~specified in s. 440.05 (1) determined by the department under s. 440.03 (9) (a)~~ and files with the department evidence satisfactory to the department that he or she is certified, registered or accredited as required under subd. 1. a.

**\*b0480/3.4\* SECTION 3459.** 440.03 (14) (a) 2. c. of the statutes is amended to read:

440.03 (14) (a) 2. c. The person pays the initial credential fee ~~specified in s. 440.05 (1) determined by the department under s. 440.03 (9) (a)~~ and files with the department evidence satisfactory to the department that he or she is certified, registered or accredited as required under subd. 2. a.

**\*b0480/3.4\* SECTION 3460.** 440.03 (14) (a) 3. c. of the statutes is amended to read:

440.03 (14) (a) 3. c. The person pays the initial credential fee specified in s. 440.05 (1) determined by the department under s. 440.03 (9) (a) and files with the department evidence satisfactory to the department that he or she is certified, registered or accredited as required under subd. 3. a.

**\*b0480/3.4\* SECTION 3461.** 440.03 (14) (am) of the statutes is amended to read:

440.03 (14) (am) The department may promulgate rules that establish requirements for granting a license to practice psychotherapy to a person who is registered under par. (a). Rules promulgated under this paragraph shall establish requirements for obtaining such a license that are comparable to the requirements for obtaining a clinical social worker, marriage and family therapist, or professional counselor license under ch. 457. If the department promulgates rules under this paragraph, the department shall grant a license under this paragraph to a person registered under par. (a) who pays the initial credential fee specified in s. 440.05 (1) determined by the department under s. 440.03 (9) (a) and provides evidence satisfactory to the department that he or she satisfies the requirements established in the rules.

**\*b0480/3.4\* SECTION 3462.** 440.03 (14) (c) of the statutes is amended to read:

440.03 (14) (c) The renewal dates for certificates granted under par. (a) and licenses granted under par. (am) are specified in s. 440.08 (2) (a). Renewal applications shall be submitted to the department on a form provided by the department and shall include the renewal fee specified in s. 440.08 (2) (a) determined by the department under s. 440.03 (9) (a) and evidence satisfactory to the department that the person's certification, registration, or accreditation specified in par. (a) 1. a., 2. a., or 3. a. has not been revoked.”.

**\*b0494/1.4\* 559.** Page 1455, line 21: delete the material beginning with that line and ending with page 1456, line 4.

**\*b0480/3.5\* 560.** Page 1456, line 4: after that line insert:

**\*b0480/3.5\*** “**SECTION 3463.** 440.05 (1) (a) of the statutes is amended to read:  
440.05 (1) (a) Initial credential: \$53 An amount determined by the department under s. 440.03 (9) (a). Each applicant for an initial credential shall pay the initial credential fee to the department when the application materials for the initial credential are submitted to the department.

**\*b0480/3.5\* SECTION 3464.** 440.05 (2) of the statutes is amended to read:  
440.05 (2) Reciprocal credential, including any credential described in s. 440.01 (2) (d) and any credential that permits temporary practice in this state in whole or in part because the person holds a credential in another jurisdiction: The applicable credential renewal fee ~~under s. 440.08 (2) (a)~~ determined by the department under s. 440.03 (9) (a) and, if an examination is required, an examination fee under sub. (1).

**\*b0480/3.5\* SECTION 3465L.** 440.08 (2) (a) (intro.) and 1. to 27m. of the statutes are amended to read:

440.08 (2) (a) (intro.) Except as provided in par. (b) and in ss. 440.51, 442.04, 444.03, 444.11, 448.065, 447.04 (2) (c) 2., 449.17 (1m) (d), and 449.18 (2) (d), the renewal dates ~~and renewal fees~~ for credentials are as follows:

1. Accountant, certified public: December 15 of each odd-numbered year; ~~\$59.~~
3. Accounting corporation or partnership: December 15 of each odd-numbered year; ~~\$56.~~
4. Acupuncturist: July 1 of each odd-numbered year; ~~\$70.~~

4m. Advanced practice nurse prescriber: October 1 of each even-numbered year; ~~\$73~~.

5. Aesthetician: April 1 of each odd-numbered year; ~~\$87~~.

6. Aesthetics establishment: April 1 of each odd-numbered year; ~~\$70~~.

7. Aesthetics instructor: April 1 of each odd-numbered year; ~~\$70~~.

8. Aesthetics school: April 1 of each odd-numbered year; ~~\$115~~.

9. Aesthetics specialty school: April 1 of each odd-numbered year; ~~\$53~~.

9m. Substance abuse counselor, clinical supervisor, or prevention specialist: except as limited in s. 440.88 (4), March 1 of each odd-numbered year; ~~\$70~~.

11. Appraiser, real estate, certified general: December 15 of each odd-numbered year; ~~\$162~~.

11m. Appraiser, real estate, certified residential: December 15 of each odd-numbered year; ~~\$167~~.

12. Appraiser, real estate, licensed: December 15 of each odd-numbered year; ~~\$185~~.

13. Architect: August 1 of each even-numbered year; ~~\$60~~.

14. Architectural or engineering firm, partnership or corporation: February 1 of each even-numbered year; ~~\$70~~.

14d. Athlete agent: July 1 of each even-numbered year; ~~\$53~~.

14f. Athletic trainer: July 1 of each even-numbered year; ~~\$53~~.

14g. Auction company: December 15 of each even-numbered year; ~~\$56~~.

14r. Auctioneer: December 15 of each even-numbered year; ~~\$174~~.

15. Audiologist: February 1 of each odd-numbered year; ~~\$106~~.

16. Barbering or cosmetology establishment: April 1 of each odd-numbered year; ~~\$56~~.

17. Barbering or cosmetology instructor: April 1 of each odd-numbered year;  
~~\$91.~~
18. Barbering or cosmetology manager: April 1 of each odd-numbered year;  
~~\$71.~~
19. Barbering or cosmetology school: April 1 of each odd-numbered year; ~~\$138.~~
20. Barber or cosmetologist: April 1 of each odd-numbered year; ~~\$63.~~
21. Cemetery authority, licensed: December 15 of each even-numbered year;  
~~\$343, plus an amount to be determined by rule by the cemetery board.~~
22. Cemetery preneed seller: December 15 of each even-numbered year; ~~\$61.~~
23. Cemetery salesperson: December 15 of each even-numbered year; ~~\$90.~~
- 23m. Charitable organization: August 1 of each year; ~~\$15.~~
24. Chiropractor: December 15 of each even-numbered year; ~~\$168.~~
- 24m. Crematory authority: January 1 of each even-numbered year; ~~\$53.~~
25. Dental hygienist: October 1 of each odd-numbered year; ~~\$57.~~
26. Dentist: October 1 of each odd-numbered year; ~~\$131.~~
- 26m. Dentist, faculty member: October 1 of each odd-numbered year; ~~\$131.~~
27. Designer of engineering systems: February 1 of each even-numbered year;  
~~\$58.~~
- 27m. Dietitian: November 1 of each even-numbered year; ~~\$56.~~”.

**561.** Page 1456, line 4: after that line insert:

“**SECTION 3465Lb.** 440.08 (2) (a) 28. of the statutes is amended to read:

440.08 (2) (a) 28. Drug distributor: June 1 of each even-numbered year; ~~\$70.~~”.

**\*b0480/3.6\* 562.** Page 1456, line 4: after that line insert:



**\*b0480/3.6\*** **SECTION 3465pr.** 440.08 (2) (a) 29. to 71. of the statutes are amended to read:

440.08 **(2)** (a) 29. Drug manufacturer: June 1 of each even-numbered year; \$70.

30. Electrologist: April 1 of each odd-numbered year; \$76.

31. Electrology establishment: April 1 of each odd-numbered year; \$56.

32. Electrology instructor: April 1 of each odd-numbered year; \$86.

33. Electrology school: April 1 of each odd-numbered year; \$71.

34. Electrology specialty school: April 1 of each odd-numbered year; \$53.

35. Engineer, professional: August 1 of each even-numbered year; \$58.

35m. Fund-raising counsel: September 1 of each even-numbered year; \$53.

36. Funeral director: December 15 of each odd-numbered year; \$135.

37. Funeral establishment: June 1 of each odd-numbered year; \$56.

38. Hearing instrument specialist: February 1 of each odd-numbered year; \$106.

38g. Home inspector: December 15 of each even-numbered year; \$53.

38m. Landscape architect: August 1 of each even-numbered year; \$56.

39. Land surveyor: February 1 of each even-numbered year; \$77.

42. Manicuring establishment: April 1 of each odd-numbered year; \$53.

43. Manicuring instructor: April 1 of each odd-numbered year; \$53.

44. Manicuring school: April 1 of each odd-numbered year; \$118.

45. Manicuring specialty school: April 1 of each odd-numbered year; \$53.

46. Manicurist: April 1 of each odd-numbered year; \$133.

46m. Marriage and family therapist: March 1 of each odd-numbered year; \$84.

- 46r. Massage therapist or bodyworker: March 1 of each odd-numbered year;  
\$53.
- 46w. Midwife, licensed: July 1 of each even-numbered year; ~~\$56~~.
48. Nurse, licensed practical: May 1 of each odd-numbered year; ~~\$69~~.
49. Nurse, registered: March 1 of each even-numbered year; ~~\$66~~.
50. Nurse-midwife: March 1 of each even-numbered year; ~~\$70~~.
51. Nursing home administrator: July 1 of each even-numbered year; ~~\$120~~.
52. Occupational therapist: November 1 of each odd-numbered year; ~~\$59~~.
53. Occupational therapy assistant: November 1 of each odd-numbered year;  
~~\$62~~.
54. Optometrist: December 15 of each odd-numbered year; ~~\$65~~.
- 54m. Perfusionist: November 1 of each odd-numbered year; ~~\$56~~.
55. Pharmacist: June 1 of each even-numbered year; ~~\$97~~.
56. Pharmacy, in-state and out-of-state: June 1 of each even-numbered year;  
~~\$56~~.
57. Physical therapist: November 1 of each odd-numbered year; ~~\$62~~.
- 57m. Physical therapist assistant: November 1 of each odd-numbered year;  
~~\$44~~.
58. Physician: November 1 of each odd-numbered year; ~~\$106~~.
59. Physician assistant: November 1 of each odd-numbered year; ~~\$72~~.
60. Podiatrist: November 1 of each odd-numbered year; ~~\$150~~.
61. Private detective: September 1 of each even-numbered year; ~~\$101~~.
62. Private detective agency: September 1 of each odd-numbered year; ~~\$53~~.
63. Private practice school psychologist: October 1 of each odd-numbered year;  
~~\$103~~.

- 63g. Private security person: September 1 of each even-numbered year; ~~\$53.~~
- 63m. Professional counselor: March 1 of each odd-numbered year; ~~\$76.~~
- 63t. Professional fund-raiser: September 1 of each even-numbered year; ~~\$93.~~
- 63u. Professional geologist: August 1 of each even-numbered year; ~~\$59.~~
- 63v. Professional geology, hydrology or soil science firm, partnership or corporation: August 1 of each even-numbered year; ~~\$53.~~
- 63w. Professional hydrologist: August 1 of each even-numbered year; ~~\$53.~~
- 63x. Professional soil scientist: August 1 of each even-numbered year; ~~\$53.~~
64. Psychologist: October 1 of each odd-numbered year; ~~\$157.~~
65. Real estate broker: December 15 of each even-numbered year; ~~\$128.~~
66. Real estate business entity: December 15 of each even-numbered year; ~~\$56.~~
67. Real estate salesperson: December 15 of each even-numbered year; ~~\$83.~~
- 67m. Registered interior designer: August 1 of each even-numbered year; ~~\$56.~~
- 67v. Registered music, art or dance therapist: October 1 of each odd-numbered year; ~~\$53.~~
- 67x. Registered music, art, or dance therapist with psychotherapy license: October 1 of each odd-numbered year; ~~\$53.~~
68. Respiratory care practitioner: November 1 of each odd-numbered year; ~~\$65.~~
- 68b. Sanitarian: January 1 of each even-numbered year; ~~\$53.~~
- 68d. Social worker: March 1 of each odd-numbered year; ~~\$63.~~
- 68h. Social worker, advanced practice: March 1 of each odd-numbered year; ~~\$70.~~
- 68p. Social worker, independent: March 1 of each odd-numbered year; ~~\$58.~~

68t. Social worker, independent clinical: March 1 of each odd-numbered year;  
\$73.

68v. Speech-language pathologist: February 1 of each odd-numbered year;  
\$63.

69. Time-share salesperson: December 15 of each even-numbered year; \$119.

70. Veterinarian: December 15 of each odd-numbered year; \$105.

71. Veterinary technician: December 15 of each odd-numbered year; \$58.”.

**\*b0480/3.8\* 563.** Page 1456, line 4: after that line insert:

**\*b0480/3.8\*** “SECTION 3466. 440.08 (2) (c) of the statutes is amended to read:

440.08 (2) (c) Except as provided in sub. (3), renewal applications shall include the applicable renewal fee ~~specified in pars. (a) and (b)~~ as determined by the department under s. 440.03 (9) (a) or as specified in par. (b).

**\*b0480/3.8\* SECTION 3467.** 440.08 (3) (a) of the statutes is amended to read:

440.08 (3) (a) Except as provided in rules promulgated under par. (b), if the department does not receive an application to renew a credential before its renewal date, the holder of the credential may restore the credential by payment of the applicable renewal fee ~~specified in sub. (2) (a)~~ determined by the department under s. 440.03 (9) (a) and by payment of a late renewal fee of \$25.”.

**\*b0480/3.9\* 564.** Page 1456, line 22: after that line insert:

**\*b0480/3.9\*** “SECTION 3471. 440.26 (3) of the statutes is amended to read:

440.26 (3) ISSUANCE OF LICENSES; FEES. Upon receipt and examination of an application executed under sub. (2), and after any investigation that it considers necessary, the department shall, if it determines that the applicant is qualified, grant the proper license upon payment of the initial credential fee ~~specified in s. 440.05 (1)~~

determined by the department under s. 440.03 (9) (a). No license shall be issued for a longer period than 2 years, and the license of a private detective shall expire on the renewal date of the license of the private detective agency, even if the license of the private detective has not been in effect for a full 2 years. Renewals of the original licenses issued under this section shall be issued in accordance with renewal forms prescribed by the department and shall be accompanied by the applicable fees specified in s. 440.08 or determined by the department under s. 440.03 (9) (a). The department may not renew a license unless the applicant provides evidence that the applicant has in force at the time of renewal the bond or liability policy specified in this section.

**\*b0480/3.9\* SECTION 3473.** 440.26 (5m) (a) 4. of the statutes is amended to read:

440.26 (5m) (a) 4. The individual pays to the department the initial credential fee specified in s. 440.05 (1) determined by the department under s. 440.03 (9) (a).

**\*b0480/3.9\* SECTION 3474.** 440.26 (5m) (b) of the statutes is amended to read:

440.26 (5m) (b) The renewal dates for permits issued under this subsection are specified under s. 440.08 (2) (a). Renewal applications shall be submitted to the department on a form provided by the department and shall include the renewal fee specified in s. 440.08 (2) (a) determined by the department under s. 440.03 (9) (a).

**\*b0480/3.9\* SECTION 3476.** 440.42 (1) (c) of the statutes is amended to read:

440.42 (1) (c) The department shall issue a certificate of registration to each charitable organization that is registered under this subsection. Renewal applications shall be submitted to the department, on a form provided by the department, on or before the expiration date specified in s. 440.08 (2) (a) and shall

include a registration statement that complies with sub. (2) and the renewal fee specified in ~~s. 440.08 (2) (a)~~ determined by the department under s. 440.03 (9) (a).

**\*b0480/3.9\* SECTION 3477.** 440.43 (1) (c) of the statutes is amended to read:

440.43 (1) (c) The department shall issue a certificate of registration to each fund-raising counsel that is registered under this subsection. Renewal applications shall be submitted to the department, on a form provided by the department, on or before the date specified in s. 440.08 (2) (a) and shall include the renewal fee ~~specified in s. 440.08 (2) (a)~~ determined by the department under s. 440.03 (9) (a) and evidence satisfactory to the department that the fund-raising counsel maintains a bond that is approved under sub. (2).”.

**\*b0480/3.10\* 565.** Page 1457, line 5: after that line insert:

**\*b0480/3.10\* “SECTION 3479.** 440.44 (1) (c) of the statutes is amended to read:

440.44 (1) (c) The department shall issue a certificate of registration to each professional fund-raiser that is registered under this subsection. Renewal applications shall be submitted to the department, on a form provided by the department, on or before the date specified in s. 440.08 (2) (a) and shall include the renewal fee ~~specified in s. 440.08 (2) (a)~~ determined by the department under s. 440.03 (9) (a) and evidence satisfactory to the department that the professional fund-raiser maintains a bond that is approved under sub. (2).”.

**\*b0480/3.11\* 566.** Page 1457, line 13: after that line insert:

**\*b0480/3.11\* “SECTION 3481.** 440.62 (2) (a) of the statutes is amended to read:

440.62 (2) (a) An application for initial licensure or renewal or reinstatement of a license under this section shall be submitted to the department on a form provided by the department and shall be accompanied by the applicable fee ~~specified~~

~~in s. 440.05 (1) or 440.08~~ determined by the department under s. 440.03 (9) (a). Each application shall be accompanied by a surety bond acceptable to the department in the minimum sum of \$25,000 for each location.

**\*b0480/3.11\* SECTION 3482.** 440.63 (2) of the statutes is amended to read:

440.63 (2) APPLICATIONS; CERTIFICATION PERIOD. An application for initial certification or renewal or reinstatement of a certificate under this section shall be submitted to the department on a form provided by the department. An application for initial certification shall include the initial credential fee specified in s. 440.05 (1) determined by the department under s. 440.03 (9) (a). Renewal applications shall be submitted to the department on a form provided by the department on or before the applicable renewal date specified under s. 440.08 (2) (a) and shall include the applicable renewal fee ~~specified under s. 440.08 (2) (a)~~ determined by the department under s. 440.03 (9) (a), and the applicable penalty for late renewal under s. 440.08 (3) if the application is submitted late.

**\*b0480/3.11\* SECTION 3483.** 440.71 (2) (a) of the statutes is amended to read:

440.71 (2) (a) Pays the initial credential fee specified in s. 440.05 (1) determined by the department under s. 440.03 (9) (a).

**\*b0480/3.11\* SECTION 3484.** 440.71 (3) of the statutes is amended to read:

440.71 (3) RENEWAL. Renewal applications shall be submitted to the department on a form provided by the department on or before the applicable renewal date specified under s. 440.08 (2) (a) and shall include the applicable renewal fee ~~specified under s. 440.08 (2) (a)~~ determined by the department under s. 440.03 (9) (a).

**\*b0480/3.11\* SECTION 3485.** 440.88 (4) of the statutes is amended to read:

440.88 (4) APPLICATIONS; CERTIFICATION PERIOD. An application for certification as a substance abuse counselor, clinical supervisor, or prevention specialist under this section shall be made on a form provided by the department and filed with the department and shall be accompanied by the initial credential fee ~~specified in s. 440.05 (1)~~ determined by the department under s. 440.03 (9) (a). The renewal date ~~and renewal fee~~ for certification as a substance abuse counselor, clinical supervisor, or prevention specialist ~~are~~ is specified under s. 440.08 (2) (a) ~~and the renewal fee for such certifications is determined by the department under s. 440.03 (9) (a)~~. Renewal of certification as a substance abuse counselor-in-training, a clinical supervisor-in-training, or a prevention specialist-in-training may be made only twice.

**\*b0480/3.11\* SECTION 3486.** 440.91 (1) (b) 2. of the statutes is amended to read:

440.91 (1) (b) 2. The cemetery authority pays the initial credential fee ~~specified in s. 440.05 (1)~~ determined by the department under s. 440.03 (9) (a).

**\*b0480/3.11\* SECTION 3487.** 440.91 (1) (c) 1. of the statutes is amended to read:

440.91 (1) (c) 1. The renewal dates ~~and renewal fees~~ for licenses granted under par. (b) are specified in s. 440.08 (2) (a) and the renewal fees for such licenses are determined by the department under s. 440.03 (9) (a), except that a licensed cemetery authority is not required to renew its license if the cemetery authority sells less than 20 cemetery lots or mausoleum spaces at a cemetery during a calendar year, or that has less than \$100,000 in preneed trust fund accounts for a cemetery.

**\*b0480/3.11\* SECTION 3488.** 440.91 (2) (intro.) of the statutes is amended to read:

440.91 (2) (intro.) Except as provided in sub. (10), every person that sells or solicits the sale of, or that expects to sell or solicit the sale of, 20 or more cemetery



lots or mausoleum spaces per year during 2 consecutive calendar years shall be licensed by the board. A person may not be licensed as a cemetery salesperson except upon the written request of a cemetery authority and the payment of the initial credential fee specified in s. 440.05 (1) determined by the department under s. 440.03 (9) (a). The cemetery authority shall certify in writing to the board that the person is competent to act as a cemetery salesperson. An applicant for licensure as a cemetery salesperson shall furnish to the board, in such form as the board prescribes, all of the following information:

**\*b0480/3.11\* SECTION 3489.** 440.91 (4) of the statutes is amended to read:

440.91 (4) Renewal applications shall be submitted to the department on a form provided by the department on or before the applicable renewal date specified under s. 440.08 (2) (a) and shall include the applicable renewal fee ~~specified under s. 440.08 (2) (a)~~ determined by the department under s. 440.03 (9) (a).

**\*b0480/3.11\* SECTION 3490.** 440.92 (1) (b) 2. of the statutes is amended to read:

440.92 (1) (b) 2. Pays the initial credential fee under s. 440.05 (1) determined by the department under s. 440.03 (9) (a).

**\*b0480/3.11\* SECTION 3491.** 440.92 (1) (c) of the statutes is amended to read:

440.92 (1) (c) Renewal applications shall be submitted to the department on a form provided by the department on or before the applicable renewal date specified under s. 440.08 (2) (a) and shall include the applicable renewal fee ~~specified under s. 440.08 (2) (a)~~ determined by the department under s. 440.03 (9) (a).”.

**\*b0480/3.12\* 567.** Page 1457, line 20: after that line insert:

**\*b0480/3.12\* “SECTION 3493.** 440.966 (1) of the statutes is amended to read:

440.966 (1) The renewal date ~~and fees~~ for a certificate of registration issued under this subchapter ~~are~~ is specified in s. 440.08 (2) (a), and the renewal fee for such certificate of registration is determined by the department under s. 440.03 (9) (a).

**\*b0480/3.12\* SECTION 3494.** 440.972 (2) of the statutes is amended to read:

440.972 (2) The renewal date ~~and renewal fee~~ for certificates granted under this section ~~are~~ is specified under s. 440.08 (2) (a) 38g., and the renewal fee for such certificates is determined by the department under s. 440.03 (9) (a).

**\*b0480/3.12\* SECTION 3495.** 440.98 (6) of the statutes is amended to read:

440.98 (6) APPLICATIONS. An application for a sanitarian registration under this section shall be made on a form provided by the department and filed with the department and shall be accompanied by the initial credential fee specified in s. 440.05 (1) determined by the department under s. 440.03 (9) (a). The renewal date ~~and renewal fee~~ for a sanitarian registration ~~are~~ is specified under s. 440.08 (2) (a), and the renewal fee for such registration is determined by the department under s. 440.03 (9) (a).

**\*b0480/3.12\* SECTION 3496.** 440.982 (1m) (b) of the statutes is amended to read:

440.982 (1m) (b) The person pays the initial credential fee specified in s. 440.05 (1) determined by the department under s. 440.03 (9) (a).

**\*b0480/3.12\* SECTION 3497.** 440.983 (1) of the statutes is amended to read:

440.983 (1) The renewal date for licenses granted under this subchapter is specified in s. 440.08 (2) (a). Renewal applications shall be submitted to the department on a form provided by the department and shall include the renewal fee ~~specified in s. 440.08 (2) (a)~~ determined by the department under s. 440.03 (9) (a).

**\*b0480/3.12\* SECTION 3498.** 440.992 (1) of the statutes is amended to read:

440.992 (1) Except as otherwise provided in sub. (2), the department shall issue a certificate of registration to an individual who complies with s. 440.9915 (1) or whose application has been accepted under s. 440.9915 (2), if the individual has paid the initial credential fee specified in s. 440.05 (1) (a) determined by the department under s. 440.03 (9) (a).

**\*b0480/3.12\* SECTION 3499.** 440.9935 of the statutes is amended to read:

**440.9935 Renewal.** The renewal date and fee for certificates of registration issued under this subchapter ~~are~~ is specified in s. 440.08 (2) (a), and the renewal fee for such certificates is determined by the department under s. 440.03 (9) (a). Renewal applications shall be submitted to the department on a form provided by the department.

**\*b0480/3.12\* SECTION 3500.** 441.06 (3) of the statutes is amended to read:

441.06 (3) A registered nurse practicing for compensation shall, on or before the applicable renewal date specified under s. 440.08 (2) (a), submit to the board on furnished forms a statement giving name, residence, and other facts that the board requires, with the applicable renewal fee ~~specified under s. 440.08 (2) (a)~~ determined by the department under s. 440.03 (9) (a).

**\*b0480/3.12\* SECTION 3501.** 441.10 (3) (b) of the statutes is amended to read:

441.10 (3) (b) On or before the applicable renewal date specified under s. 440.08 (2) (a), a licensed practical nurse practicing for compensation shall submit to the board, on forms furnished by the department, an application for license renewal, together with a statement giving name, residence, nature and extent of practice as a licensed practical nurse during the prior year and prior unreported years, and other facts bearing upon current competency that the board requires, accompanied

by the applicable license renewal fee ~~specified under s. 440.08 (2) (a)~~ determined by the department under s. 440.03 (9) (a).

**\*b0480/3.12\* SECTION 3502.** 441.15 (3) (a) 2. of the statutes is amended to read:

441.15 (3) (a) 2. Pays the initial credential fee ~~specified under s. 440.05 (1) determined by the department under s. 440.03 (9) (a)~~.”.

**\*b0480/3.13\* 568.** Page 1458, line 7: after that line insert:

**\*b0480/3.13\* “SECTION 3503b.** 441.15 (3) (b) of the statutes, as affected by 2007 Wisconsin Act .... (this act), is amended to read:

441.15 (3) (b) On or before the applicable renewal date specified under s. 440.08 (2) (a), a person issued a license under par. (a) and practicing nurse–midwifery shall submit to the board on furnished forms a statement giving his or her name, residence, and other information that the board requires by rule, with the applicable renewal fee ~~specified under s. 440.08 (2) (a)~~ determined by the department under s. 440.03 (9) (a). If applicable, the person shall also submit evidence satisfactory to the board that he or she has in effect the malpractice liability insurance required under the rules promulgated under sub. (5) (bm). The board shall grant to a person who pays the fee ~~specified under s. 440.08 (2) (a)~~ determined by the department under s. 440.03 (9) (a) for renewal of a license to practice nurse–midwifery and who satisfies the requirements of this paragraph the renewal of his or her license to practice nurse–midwifery and the renewal of his or her license to practice as a registered nurse.

**\*b0480/3.13\* SECTION 3504.** 442.08 (1) of the statutes is amended to read:

442.08 (1) The department shall issue a license to an individual who holds an unrevoked certificate as a certified public accountant, submits an application for the

license on a form provided by the department, and pays the initial credential fee specified in s. 440.05 (1) determined by the department under s. 440.03 (9) (a).

**\*b0480/3.13\* SECTION 3505.** 442.08 (2) (intro.) of the statutes is amended to read:

442.08 (2) (intro.) The department shall issue a license to a firm that submits an application for the license on a form provided by the department, pays the initial credential fee specified in s. 440.05 (1) determined by the department under s. 440.03 (9) (a), and does each of the following:

**\*b0480/3.13\* SECTION 3506.** 442.083 of the statutes is amended to read:

**442.083 Renewal.** The renewal dates ~~and renewal fees~~ for licenses issued under this chapter are specified under s. 440.08 (2) (a), and the renewal fees for such licenses are determined by the department under s. 440.03 (9) (a). The department may not renew a license issued to a firm unless, at the time of renewal, the firm satisfies the requirements under s. 442.08 (2) and demonstrates, to the satisfaction of the department, that the firm has complied with the requirements under s. 442.087.

**\*b0480/3.13\* SECTION 3507.** 442.09 of the statutes is amended to read:

**442.09 Fees.** The fees for examination and licenses granted ~~or renewed~~ under this chapter are specified in ~~ss. s. 440.05 and 440.08.~~ The fee for renewal of such licenses is determined by the department under s. 440.03 (9) (a).

**\*b0480/3.13\* SECTION 3508.** 443.07 (6) of the statutes is amended to read:

443.07 (6) The renewal date ~~and renewal fee~~ for permits under this section ~~are~~ is specified under s. 440.08 (2) (a), and the fee for renewal of such permits is determined by the department under s. 440.03 (9) (a).

**\*b0480/3.13\* SECTION 3509.** 443.08 (3) (a) of the statutes is amended to read:

443.08 (3) (a) A firm, partnership or corporation desiring a certificate of authorization shall submit an application to the department on forms provided by the department, listing the names and addresses of all officers and directors, and all individuals in its employment registered or granted a permit to practice architecture, professional engineering or designing in this state who will be in responsible charge of architecture, professional engineering or designing being practiced in this state through the firm, partnership or corporation and other relevant information required by the examining board. A similar type of form shall also accompany the renewal fee. If there is a change in any of these persons, the change shall be reported on the same type of form, and filed with the department within 30 days after the effective date of the change. The examining board shall grant a certificate of authorization to a firm, partnership or corporation complying with this subsection upon payment of the initial credential fee specified in s. 440.05 (1) determined by the department under s. 440.03 (9) (a). This subsection does not apply to firms, partnerships or corporations exempt under s. 443.14 (3) or (5).

**\*b0480/3.13\* SECTION 3510.** 443.08 (3) (b) of the statutes is amended to read:

443.08 (3) (b) The renewal date ~~and renewal fee~~ for certificates of authorization under this section ~~are~~ is specified under s. 440.08 (2) (a), and the fee for renewal of such certificates is determined by the department under s. 440.03 (9) (a).

**\*b0480/3.13\* SECTION 3511.** 443.10 (2) (b) of the statutes is amended to read:

443.10 (2) (b) The fees for examinations and licenses granted ~~or renewed~~ under this chapter are specified in ~~ss. s. 440.05 and 440.08~~, and the fee for renewal of such licenses is determined by the department under s. 440.03 (9) (a).

**\*b0480/3.13\* SECTION 3512.** 443.10 (2) (e) of the statutes is amended to read:

443.10 (2) (e) The renewal date ~~and renewal fee~~ for certificates of registration for architects, landscape architects, and professional engineers are is specified under s. 440.08 (2) (a), and the fee for renewal of such certificates is determined by the department under s. 440.03 (9) (a).

**\*b0480/3.13\* SECTION 3513.** 443.10 (5) of the statutes is amended to read:

443.10 (5) FEES; RENEWALS. The land surveyor's section shall grant a certificate of registration as a land surveyor to any applicant who has met the applicable requirements of this chapter. The renewal date ~~and renewal fee~~ for the certificate are is specified under s. 440.08 (2) (a), and the renewal fee for the certificate is determined by the department under s. 440.03 (9) (a).

**\*b0480/3.13\* SECTION 3514.** 445.04 (2) of the statutes is amended to read:

445.04 (2) No person may engage in the business of a funeral director, or make a representation as engaged in such business, in whole or in part, unless first licensed as a funeral director by the examining board. Application for a license, other than a renewal, shall be in writing and verified on a form to be furnished by the department. The application must specify the address at which the applicant proposes to conduct the business of a funeral director and shall contain such other information as the examining board requires to determine compliance with the requirements of this chapter. Accompanying the application shall be the initial credential fee specified in s. 440.05 (1) determined by the department under s. 440.03 (9) (a), together with affidavits of recommendation from at least 2 persons of the county in which the applicant resides or proposes to conduct the business of a funeral director.

**\*b0480/3.13\* SECTION 3515.** 445.06 of the statutes is amended to read:

**445.06 Renewal of licenses.** The renewal date and renewal fee for a funeral directors' license are is specified under s. 440.08 (2) (a), and the renewal fee for such license is determined by the department under s. 440.03 (9) (a). Before any renewal license is delivered to any licensed funeral director, proof must be furnished by the applicant, to the satisfaction of the examining board, that the applicant is doing business at a recognized funeral establishment, except that if such applicant is not doing business at a recognized funeral establishment at the time of application for a license, the applicant shall be given a certificate, without additional cost, to the effect that the applicant is in good standing as a funeral director, and shall be entitled to a renewal license at any time during that license period, when located at a recognized funeral establishment, without payment of any additional renewal fee. The applicant must also furnish proof of completion of at least 15 hours of continuing education during the previous 2-year licensure period, except that new licensees are exempt from this requirement during the time between initial licensure and commencement of a full 2-year licensure period.

**\*b0480/3.13\* SECTION 3516.** 445.105 (3) of the statutes is amended to read:

445.105 (3) Applications for funeral establishment permits shall be made on forms provided by the department and filed with the department and shall be accompanied by the initial credential fee specified under s. 440.05 (1) determined by the department under s. 440.03 (9) (a). The renewal date and renewal fee for a funeral establishment permit are is specified under s. 440.08 (2) (a), and the renewal fee for such permit is determined by the department under s. 440.03 (9) (a).

**\*b0480/3.13\* SECTION 3517.** 446.02 (4) of the statutes is amended to read:



446.02 (4) The renewal date and renewal fee for all licenses granted by the examining board are is specified under s. 440.08 (2) (a), and the renewal fee for such licenses is determined by the department under s. 440.03 (9) (a).

**\*b0480/3.13\* SECTION 3518.** 447.05 of the statutes is amended to read:

**447.05 Expiration and renewal.** Renewal applications shall be submitted to the department on a form provided by the department on or before the applicable renewal date specified under s. 440.08 (2) (a) and shall include the applicable renewal fee specified under s. 440.08 (2) (a) determined by the department under s. 440.03 (9) (a). The examining board may not renew a license to practice dental hygiene unless the applicant for renewal attests that he or she has complied with s. 447.055 and any rules promulgated by the department under s. 447.055 and that he or she has a current certification in cardiopulmonary resuscitation.

**\*b0480/3.13\* SECTION 3519.** 448.07 (2) of the statutes is amended to read:

448.07 (2) FEES. The fees for examination and licenses granted ~~or renewed~~ under this subchapter are specified in ~~ss. s.~~ s. 440.05, and 440.08 the renewal fee for such licenses is determined by the department under s. 440.03 (9) (a).

**\*b0480/3.13\* SECTION 3520.** 448.55 (2) of the statutes is amended to read:

448.55 (2) The renewal dates for licenses granted under this subchapter, other than temporary licenses granted under rules promulgated under s. 448.53 (2), are specified under s. 440.08 (2) (a). Renewal applications shall be submitted to the department on a form provided by the department and shall include the renewal fee specified in s. 440.08 (2) (a) determined by the department under s. 440.03 (9) (a) and proof of compliance with the requirements established in any rules promulgated under sub. (3).

**\*b0480/3.13\* SECTION 3521.** 448.65 (2) (a) of the statutes is amended to read:

448.65 (2) (a) The renewal fee ~~specified in s. 440.08 (2) (a)~~ determined by the department under 440.03 (9) (a).

**\*b0480/3.13\* SECTION 3522.** 448.86 (2) of the statutes is amended to read:

448.86 (2) The renewal dates for certificates granted under this subchapter, other than temporary certificates granted under s. 448.80, are specified under s. 440.08 (2) (a). Renewal applications shall be submitted to the department on a form provided by the department and shall include the renewal fee ~~specified in s. 440.08 (2) (a)~~ determined by the department under s. 440.03 (9) (a).

**\*b0480/3.13\* SECTION 3523.** 448.955 (2) (intro.) of the statutes is amended to read:

448.955 (2) (intro.) Renewal applications shall be submitted to the department on a form provided, subject to sub. (3), by the department and shall include the renewal fee ~~specified in s. 440.08 (2) (a)~~ determined by the department under s. 440.03 (9) (a) and evidence satisfactory to the affiliated credentialing board that the licensee has all of the following:

**\*b0480/3.13\* SECTION 3524.** 448.967 (2) of the statutes is amended to read:

448.967 (2) The renewal dates for licenses granted under this subchapter are specified under s. 440.08 (2) (a). Renewal applications shall be submitted to the department on a form provided by the department and shall include the renewal fee ~~specified in s. 440.08 (2) (a)~~ determined by the department under s. 440.03 (9) (a) and a statement attesting compliance with the continuing education requirements established in rules promulgated under s. 448.965 (1) (b).

**\*b0480/3.13\* SECTION 3525.** 449.06 (1) of the statutes is amended to read:

449.06 (1) Persons practicing optometry shall, on or before the applicable renewal date specified under s. 440.08 (2) (a), register with the department, pay the

applicable renewal fee ~~specified under s. 440.08 (2) (a)~~ determined by the department under s. 440.03 (9) (a), and provide evidence satisfactory to the examining board that he or she has complied with the rules promulgated under sub. (2m).”.

**\*b0494/1.5\* 569.** Page 1458, line 12: delete the material beginning with that line and ending with page 1475, line 12.

**\*b0480/3.14\* 570.** Page 1475, line 12: after that line insert:

**\*b0480/3.14\* SECTION 3527.** 450.06 (2) (c) of the statutes is amended to read:  
450.06 (2) (c) The initial credential fee under s. 440.05 (1) determined by the department under s. 440.03 (9) (a) is paid.

**\*b0480/3.14\* SECTION 3528.** 450.065 (2) (d) of the statutes is amended to read:  
450.065 (2) (d) Pays the initial credential fee under s. 440.05 (1) determined by the department under s. 440.03 (9) (a).”.

**\*b0480/3.15\* 571.** Page 1475, line 12: after that line insert:

**\*b0480/3.15\* SECTION 3530at.** 450.07 (1) of the statutes is amended to read:  
450.07 (1) No person may engage in manufacturing in this state unless the person obtains a manufacturer’s license from the board. For the issuance of a license under this subsection, the applicant shall pay the initial credential fee specified in s. 440.05 (1) determined by the department under s. 440.03 (9) (a).”.

**\*b0480/3.17\* 572.** Page 1475, line 12: after that line insert:

**\*b0480/3.17\* SECTION 3531.** 450.08 (2) (a) of the statutes is amended to read:  
450.08 (2) (a) A pharmacist’s license may be renewed by complying with continuing education requirements under s. 450.085 and paying the applicable fee specified under s. 440.08 (2) (a) determined by the department under s. 440.03 (9) (a) on or before the applicable renewal date specified under s. 440.08 (2) (a). Failure to

obtain renewal within the time period specified under this paragraph terminates the right of the person to be licensed as a pharmacist, and such right can only be acquired by passing an examination to the satisfaction of the board.

**\*b0480/3.17\* SECTION 3532.** 450.08 (2) (b) of the statutes is amended to read:

450.08 (2) (b) A pharmacy, manufacturer's or distributor's license may be renewed by paying the applicable fee ~~specified under s. 440.08 (2) (a)~~ determined by the department under s. 440.03 (9) (a) on or before the applicable renewal date specified under s. 440.08 (2) (a).

**\*b0480/3.17\* SECTION 3533.** 451.04 (4) of the statutes is amended to read:

451.04 (4) EXPIRATION AND RENEWAL. Renewal applications shall be submitted to the department on a form provided by the department on or before the applicable renewal date specified under s. 440.08 (2) (a) and shall include the applicable renewal fee ~~specified under s. 440.08 (2) (a)~~ determined by the department under s. 440.03 (9) (a).

**\*b0480/3.17\* SECTION 3534.** 452.025 (1) (c) of the statutes is amended to read:

452.025 (1) (c) Each application for registration as a time-share salesperson shall be accompanied by an initial credential fee ~~specified in s. 440.05 (1)~~ determined by the department under s. 440.03 (9) (a) or the applicable renewal fee specified under ~~s. 440.08 (2) (a)~~ determined by the department under s. 440.03 (9) (a), whichever is appropriate.

**\*b0480/3.17\* SECTION 3535.** 452.025 (5) (b) of the statutes is amended to read:

452.025 (5) (b) An application to renew a certificate of registration granted under this section shall be submitted with the applicable renewal fee ~~specified under s. 440.08 (2) (a)~~ determined by the department under s. 440.03 (9) (a) on or before the applicable renewal date specified under s. 440.08 (2) (a).

**\*b0480/3.17\* SECTION 3536.** 452.10 (3) of the statutes is amended to read:

452.10 (3) The fees for examinations and licenses granted ~~or renewed~~ under this chapter are specified under ~~ss. s. 440.05, and 440.08~~ the renewal fee for such licenses is determined by the department under s. 440.03 (9) (a).

**\*b0480/3.17\* SECTION 3537.** 452.12 (2) (c) of the statutes is amended to read:

452.12 (2) (c) Application for a business entity license shall be made on forms prescribed by the department, listing the names and addresses of all business representatives, and shall be accompanied by the initial credential fee ~~specified in s. 440.05 (1) determined by the department under s. 440.03 (9) (a).~~ If there is a change in any of the business representatives, the change shall be reported to the department, on the same form, within 30 days after the effective date of the change.

**\*b0480/3.17\* SECTION 3538.** 452.12 (5) (a) of the statutes is amended to read:

452.12 (5) (a) Renewal applications for all licenses shall be submitted with the applicable renewal fee ~~specified under s. 440.08 (2) (a) determined by the department under s. 440.03 (9) (a)~~ on or before the applicable renewal date specified under s. 440.08 (2) (a).

**\*b0480/3.17\* SECTION 3539.** 452.12 (6) (e) 1. of the statutes is amended to read:

452.12 (6) (e) 1. If a person has registered as an inactive licensee before November 1, 1990, the department shall reinstate the person's original license if that person applies to the department for reinstatement of his or her original license, pays the fees fee specified under s. 440.05 (1) ~~(a) and (b)~~, passes an examination under s. 452.09 (3) and completes the education requirements established by the department under par. (f).

**\*b0480/3.17\* SECTION 3540.** 452.12 (6) (e) 2. of the statutes is amended to read:

452.12 (6) (e) 2. If a person has registered as an inactive licensee on or after November 1, 1990, the department shall reinstate the person's original license if that person applies to the department for reinstatement of his or her original license, pays the renewal fee ~~specified under s. 440.08 (2) (a)~~ determined by the department under s. 440.03 (9) (a) for the original license and completes 12 hours of continuing education as established by the department under par. (f). A person who is eligible for reinstatement of his or her original license under this subdivision shall complete the requirements for reinstatement under this subdivision before January 1, 1996, or within 5 years after the date on which the person registered as an inactive licensee, whichever is later.

**\*b0480/3.17\* SECTION 3541.** 453.062 (1) of the statutes is amended to read:

453.062 (1) RENEWAL. The renewal dates ~~and renewal fees~~ for veterinary licenses and veterinary technician certifications are specified under s. 440.08 (2) (a), and the renewal fees for such licenses and certifications are determined by the department under s. 440.03 (9) (a).

**\*b0480/3.17\* SECTION 3542.** 454.06 (1) (a) of the statutes is amended to read:

454.06 (1) (a) The applicant pays the initial credential fee ~~specified in s. 440.05 (1)~~ determined by the department under s. 440.03 (9) (a), except as provided in s. 454.13 (1).

**\*b0480/3.17\* SECTION 3543.** 454.06 (8) of the statutes is amended to read:

454.06 (8) EXPIRATION AND RENEWAL. The renewal date ~~and renewal fee~~ for licenses issued under subs. (2) to (6) ~~are~~ is specified under s. 440.08 (2) (a), and the renewal fees for such licenses are determined by the department under s. 440.03 (9) (a).

**\*b0480/3.17\* SECTION 3544.** 454.08 (3) of the statutes is amended to read:

454.08 (3) The examining board shall issue an establishment license to any person who pays the initial credential fee specified in s. 440.05 (1) determined by the department under s. 440.03 (9) (a) and who satisfies the requirements established by the examining board by rule, including proof of ownership of the business. Any change of ownership shall be reported to the examining board by the new owner within 5 days after the change of ownership.

**\*b0480/3.17\* SECTION 3545.** 454.08 (9) of the statutes is amended to read:

454.08 (9) The renewal date ~~and renewal fee~~ for licenses issued under this section are is specified under s. 440.08 (2) (a), and the renewal fee for such licenses is determined by the department under s. 440.03 (9) (a).

**\*b0480/3.17\* SECTION 3546.** 455.06 of the statutes is amended to read:

**455.06 Renewals.** The renewal date ~~and renewal fee~~ for licenses issued under s. 455.04 (1) and (4) are is specified under s. 440.08 (2) (a), and the renewal fee for such licenses is determined by the department under s. 440.03 (9) (a). An applicant for renewal of a license shall include with his or her application proof of completion of continuing education programs or courses approved under s. 455.065 (4) for the minimum number of hours required in the rules promulgated under s. 455.065 (1).

**\*b0480/3.17\* SECTION 3547.** 455.07 (2) of the statutes is amended to read:

455.07 (2) The fee for renewal of a license under this chapter is ~~specified under s. 440.08 (2) (a)~~ determined by the department under s. 440.03 (9) (a).

**\*b0480/3.17\* SECTION 3548.** 456.07 (2) of the statutes is amended to read:

456.07 (2) The application for a new certificate of registration shall include the applicable renewal fee ~~specified under s. 440.08 (2) (a)~~ determined by the department under s. 440.03 (9) (a) and evidence satisfactory to the examining board that during the biennial period immediately preceding application for registration the applicant

has attended a continuation education program or course of study. During the time between initial licensure and commencement of a full 2–year licensure period new licensees shall not be required to meet continuing education requirements. All registration fees are payable on or before the applicable renewal date specified under s. 440.08 (2) (a).

**\*b0480/3.17\* SECTION 3549.** 457.20 (3) (a) of the statutes is amended to read:

457.20 (3) (a) The renewal fee ~~specified in s. 440.08 (2) (a)~~ determined by the department under s. 440.03 (9) (a).

**\*b0480/3.17\* SECTION 3550.** 458.11 of the statutes is amended to read:

**458.11 Expiration and renewal.** Renewal applications shall be submitted to the department on a form provided by the department on or before the applicable renewal date specified under s. 440.08 (2) (a) and shall include the applicable renewal fee ~~specified under s. 440.08 (2) (a)~~ determined by the department under s. 440.03 (9) (a). Renewal of an appraiser certificate automatically renews the individual's appraiser license without payment of the renewal fee for the appraiser license or completion of any additional continuing education requirements that would otherwise be required for renewal of the appraiser license. Renewal applications shall be accompanied by proof of completion of the continuing education requirements in s. 458.13. Notwithstanding s. 458.06 (3) (b) 2. and (4) (b) 2., 1989 stats., and s. 458.08 (3) (b) 2. and (c) 2., 1991 stats., the department may not renew a certificate that was granted under s. 458.06 (3) or (4) before May 29, 1993, unless the holder of the certificate submits evidence satisfactory to the department that he or she has successfully completed the applicable educational requirements specified in rules promulgated under s. 458.085 (1) and the department may not renew a certificate that was granted under s. 458.08 (3) before May 29, 1993, unless the



holder of the certificate submits evidence satisfactory to the department that he or she has successfully completed the applicable education and experience requirements specified in rules promulgated under s. 458.085 (1) and (2).

**\*b0480/3.17\* SECTION 3551.** 459.09 (1) (a) of the statutes is amended to read:

459.09 (1) (a) Pay to the department the applicable renewal fee ~~specified under s. 440.08 (2) (a)~~ determined by the department under s. 440.03 (9) (a).

**\*b0480/3.17\* SECTION 3552.** 459.24 (5) (a) of the statutes is amended to read:

459.24 (5) (a) The renewal fee ~~specified in s. 440.08 (2) (a)~~ determined by the department under s. 440.03 (9) (a).

**\*b0480/3.17\* SECTION 3553.** 460.07 (2) (a) of the statutes is amended to read:

460.07 (2) (a) The renewal fee ~~specified in s. 440.08 (2) (a)~~ determined by the department under s. 440.03 (9) (a).

**\*b0480/3.17\* SECTION 3554.** 470.045 (3) (a) of the statutes is amended to read:

470.045 (3) (a) A firm, partnership or corporation desiring a certificate of authorization shall submit an application to the department on forms provided by the department, listing the names and addresses of all officers and directors, and all individuals in its employment licensed to practice professional geology, hydrology or soil science in this state who will be in responsible charge of professional geology, hydrology or soil science being practiced in this state through the firm, partnership or corporation and other relevant information required by the appropriate section of the examining board. A similar type of form shall also accompany the renewal fee. If there is a change in any of these persons, the change shall be reported on the same type of form, and filed with the department within 30 days after the effective date of the change. The appropriate section of the examining board shall grant a certificate of authorization to a firm, partnership or corporation complying with this

subsection upon payment of the initial credential fee ~~specified in s. 440.05 (1) determined by the department under s. 440.03 (9) (a)~~. This subsection does not apply to firms, partnerships or corporations exempt under s. 470.025 (3).

**\*b0480/3.17\* SECTION 3555.** 470.045 (3) (b) of the statutes is amended to read:

470.045 (3) (b) The renewal date ~~and renewal fee~~ for certificates of authorization under this section ~~are~~ is specified under s. 440.08 (2) (a), and the renewal fee for such certificates is determined by the department under s. 440.03 (9) (a).

**\*b0480/3.17\* SECTION 3556.** 470.07 of the statutes is amended to read:

**470.07 Renewal of licenses.** The renewal dates for licenses granted under this chapter are specified under s. 440.08 (2) (a). Renewal applications shall be submitted to the department on a form provided by the department and shall include the renewal fee ~~specified in s. 440.08 (2) (a)~~ determined by the department under s. 440.03 (9) (a) and evidence satisfactory to the appropriate section of the examining board that the applicant has completed any continuing education requirements specified in rules promulgated under s. 470.03 (2).

**\*b0480/3.17\* SECTION 3557.** 480.08 (3) (b) of the statutes is amended to read:

480.08 (3) (b) Pays the initial credential fee ~~specified in s. 440.05 (1) determined by the department under s. 440.03 (9) (a)~~.

**\*b0480/3.17\* SECTION 3558.** 480.08 (5) of the statutes is amended to read:

480.08 (5) EXPIRATION AND RENEWAL. The renewal date ~~and renewal fee~~ for certificates granted under this chapter, other than temporary certificates granted under sub. (7), ~~are~~ is specified under s. 440.08 (2) (a), and the renewal fee for certificates granted under this chapter, other than temporary certificates granted under sub. (7), is determined by the department under s. 440.03 (9) (a). Renewal

applications shall include evidence satisfactory to the department that the applicant holds a current permit issued under s. 77.52 (9). A renewal application for an auctioneer certificate shall be accompanied by proof of completion of continuing education requirements under sub. (6).”.

**\*b0331/3.20\* 573.** Page 1478, line 18: after that line insert:

**\*b0331/3.20\* “SECTION 3564x.** 560.126 of the statutes is created to read:

**560.126 Renewable energy grants and loans. (1)** The department may award a grant or make a loan from the appropriations under s. 20.143 (1) (dg), (ie), or (tm) to a business or researcher to fund any of the following projects:

(a) Research and development, including demonstration projects, into renewable energy technologies.

(b) Development of renewable energy sources and infrastructure in Wisconsin, including the conversion of non-renewable energy sources to renewable energy sources.

(c) The commercial application of renewable energy technologies.

(d) The construction of one or more cellulosic ethanol production plants.

**(2)** (a) The department shall consider all of the following criteria to evaluate applications for a grant or loan under this section:

1. The extent to which the project will aid in the research, development, or use of renewable energy sources in Wisconsin.

2. The extent to which the project will improve the competitive position or enhance the capabilities of Wisconsin’s renewable energy industries.

3. Whether the project is one in which Wisconsin holds a competitive advantage over other states.

4. The likelihood that the project will lead to the commercial application of new practices or technologies that involve the development, production, processing, or distribution of renewable energy.

5. The extent to which the project will use existing, surplus, or byproducts of natural resources in this state.

6. The extent to which the project will strengthen Wisconsin's existing industries by converting wastes or byproducts generated by existing industries into renewable energy.

7. The extent to which the project will develop technologies to increase the capacity of Wisconsin's manufacturing industries to utilize renewable energy sources.

(b) The department may also consider the following criteria to evaluate applications for a grant or loan under this section:

1. The criteria under ss. 560.602 and 560.605.

2. Whether the applicant is a small business, a minority owned business under s. 560.80 (8), a locally owned business, or a farm.

3. The geographical distribution of grants awarded and loans made under this section.

**(3)** A grant under this section may not exceed 50 percent of the costs of an eligible project.

**(4)** In consultation with the department of agriculture, trade and consumer protection, the department of natural resources, and the public service commission, the department may promulgate rules necessary to administer this section.”.

**\*b0462/1.7\* 574.** Page 1480, line 6: delete lines 6 to 21.

**\*b0449/1.3\* 575.** Page 1495, line 17: delete “developing” and substitute “approving”.

**\*b0471/5.58\* 576.** Page 1497, line 21: after that line insert:

**\*b0471/5.58\*** “SECTION 3660d. 609.01 (7) of the statutes is repealed.

**\*b0471/5.58\*** SECTION 3660h. 609.10 of the statutes is repealed.

**\*b0471/5.58\*** SECTION 3660p. 609.20 (1m) (c) of the statutes is repealed.

**\*b0471/5.58\*** SECTION 3660t. 609.20 (1m) (d) of the statutes is repealed.”.

**\*b0503/4.12\* 577.** Page 1497, line 21: after that line insert:

**\*b0503/4.12\*** “SECTION 3660g. 616.10 of the statutes is amended to read:

**616.10 Exemption from taxation.** Every mutual designated a school benefit insurer under s. 616.03, every plan authorized under s. 616.06, and every corporation organized under s. 616.08 is declared to be a charitable and benevolent corporation, and its property, real, personal and mixed, and its income and property transferred to it, are exempt from taxation as provided in ss. 70.11, 71.26 (1) (a) and 71.45 (1) (a).”.

**\*b0471/5.59\* 578.** Page 1499, line 25: after that line insert:

**\*b0471/5.59\*** “SECTION 3665c. 628.36 (4) (a) (intro.) of the statutes is amended to read:

628.36 (4) (a) (intro.) The commissioner shall provide information and assistance to ~~the department of employee trust funds,~~ employers and their employees, providers of health care services, and members of the public, as provided in par. (b), for the following purposes:

**\*b0471/5.59\*** SECTION 3665g. 628.36 (4) (b) 1. of the statutes is repealed.

**\*b0471/5.59\*** SECTION 3665n. 628.36 (4) (b) 2. of the statutes is repealed.

**\*b0471/5.59\*** SECTION 3665t. 628.36 (4) (b) 3. of the statutes is repealed.”.

**\*b0471/5.60\* 579.** Page 1504, line 8: after that line insert:

**\*b0471/5.60\* “SECTION 3680b.** 632.87 (5) of the statutes is amended to read:

632.87 (5) ~~No insurer or self-insured school district, city or village~~ may, under a policy, plan, or contract covering gynecological services or procedures, exclude or refuse to provide coverage for Papanicolaou tests, pelvic examinations, or associated laboratory fees when the test or examination is performed by a licensed nurse practitioner, as defined in s. 632.895 (8) (a) 3., within the scope of the nurse practitioner’s professional license, if the policy, plan, or contract includes coverage for Papanicolaou tests, pelvic examinations, or associated laboratory fees when the test or examination is performed by a physician.

**\*b0471/5.60\* SECTION 3687d.** 632.895 (8) (f) 4. of the statutes is created to read:

632.895 (8) (f) 4. A disability insurance policy providing only health care benefits not provided under the Healthy Wisconsin Plan under ch. 260.

**\*b0471/5.60\* SECTION 3687f.** 632.895 (9) (d) 4. of the statutes is created to read:

632.895 (9) (d) 4. A disability insurance policy providing only health care benefits not provided under the Healthy Wisconsin Plan under ch. 260.

**\*b0471/5.60\* SECTION 3687h.** 632.895 (10) (a) of the statutes is amended to read:

632.895 (10) (a) Except as provided in par. (b), every disability insurance policy ~~and every health care benefits plan provided on a self-insured basis by a county board under s. 59.52 (11), by a city or village under s. 66.0137 (4), by a political subdivision under s. 66.0137 (4m), by a town under s. 60.23 (25), or by a school district~~

~~under s. 120.13 (2)~~ shall provide coverage for blood lead tests for children under 6 years of age, which shall be conducted in accordance with any recommended lead screening methods and intervals contained in any rules promulgated by the department of health and family services under s. 254.158.

**\*b0471/5.60\* SECTION 3687j.** 632.895 (10) (b) 6. of the statutes is created to read:

632.895 (10) (b) 6. A disability insurance policy providing only health care benefits not provided under the Healthy Wisconsin Plan under ch. 260.

**\*b0471/5.60\* SECTION 3687L.** 632.895 (11) (a) (intro.) of the statutes is amended to read:

632.895 (11) (a) (intro.) Except as provided in par. (e), every disability insurance policy, ~~and every self-insured health plan of the state or a county, city, village, town or school district,~~ that provides coverage of any diagnostic or surgical procedure involving a bone, joint, muscle, or tissue shall provide coverage for diagnostic procedures and medically necessary surgical or nonsurgical treatment for the correction of temporomandibular disorders if all of the following apply:

**\*b0471/5.60\* SECTION 3687n.** 632.895 (11) (c) 1. of the statutes is amended to read:

632.895 (11) (c) 1. The coverage required under this subsection may be subject to any limitations, exclusions, or cost-sharing provisions that apply generally under the disability insurance policy ~~or self-insured health plan.~~

**\*b0471/5.60\* SECTION 3687p.** 632.895 (11) (d) of the statutes is amended to read:

632.895 (11) (d) Notwithstanding par. (c) 1., an insurer ~~or a self-insured health plan of the state or a county, city, village, town or school district~~ may require that an

insured obtain prior authorization for any medically necessary surgical or nonsurgical treatment for the correction of temporomandibular disorders.

**\*b0471/5.60\* SECTION 3687r.** 632.895 (11) (e) 3. of the statutes is created to read:

632.895 (11) (e) 3. A disability insurance policy providing only health care benefits not provided under the Healthy Wisconsin Plan under ch. 260.

**\*b0471/5.60\* SECTION 3687t.** 632.895 (14) (b) of the statutes is amended to read:

632.895 (14) (b) Except as provided in par. (d), every disability insurance policy, ~~and every self-insured health plan of the state or a county, city, town, village or school district,~~ that provides coverage for a dependent of the insured shall provide coverage of appropriate and necessary immunizations, from birth to the age of 6 years, for a dependent who is a child of the insured.

**\*b0471/5.60\* SECTION 3687v.** 632.895 (14) (d) 7. of the statutes is created to read:

632.895 (14) (d) 7. A disability insurance policy providing only health care benefits not provided under the Healthy Wisconsin Plan under ch. 260.”.

**\*b0324/1.1\* 580.** Page 1510, line 21: after that line insert:

**\*b0324/1.1\* “SECTION 3706g.** 753.06 (2) (a) of the statutes is amended to read:

753.06 (2) (a) Kenosha County. The circuit has 7 branches. Commencing August 1, 2009, the circuit has 8 branches.”.

**\*b0329/1.3\* 581.** Page 1527, line 2: after that line insert:

**\*b0329/1.3\* “SECTION 3749.** 800.02 (2) (b) of the statutes is amended to read:



800.02 (2) (b) Except for parking violations, in traffic regulation actions in municipal court, the uniform traffic citation specified in s. 345.11 shall be used in lieu of the citation form specified in par. (a). In actions for violations of local ordinances enacted in accordance with s. 23.33 (11) (am) or 30.77, the citation form specified in s. 23.54 shall be used in lieu of the citation form specified in par. (a).”.

**\*b0522/1.14\* 582.** Page 1532, line 10: delete lines 10 to 18.

**\*b0329/1.4\* 583.** Page 1539, line 17: after that line insert:

**\*b0329/1.4\* “SECTION 3794.** 938.237 (1) (intro.) of the statutes is amended to read:

938.237 (1) ~~CITATION FORM~~ CITATIONS. (intro.) The A citation forms under s. 23.54, 66.0113, 778.25, 778.26, or 800.02 may be used to commence an action for a violation of civil laws and ordinances in the court.”.

**\*b0341/2.16\* 584.** Page 1562, line 22: after that line insert:

**\*b0341/2.16\* “SECTION 3862.** 950.04 (1v) (f) of the statutes is amended to read:

950.04 (1v) (f) To have the parole earned release review commission make a reasonable attempt to notify the victim of applications for parole, release to extended supervision, or termination of extended supervision, as provided under s. 304.06 (1).”.

**\*b0341/2.17\* 585.** Page 1568, line 5: after that line insert:

**\*b0341/2.17\* “SECTION 3877.** 973.01 (4) of the statutes is amended to read:

973.01 (4) NO GOOD TIME; EXTENSION OR REDUCTION OF TERM OF IMPRISONMENT. A person sentenced to a bifurcated sentence under sub. (1) shall serve the term of confinement in prison portion of the sentence without reduction for good behavior. The term of confinement in prison portion is subject to extension under s. 302.113 (3)

and, if applicable, to reduction under s. 302.045 (3m), 302.05 (3) (c) 2. a., 302.113 (9g), 304.06 (1) (b), or 973.195 (1r).

**\*b0341/2.17\* SECTION 3878.** 973.01 (7) of the statutes is amended to read:

973.01 (7) NO DISCHARGE. The department of corrections may not discharge a person who is serving a bifurcated sentence from custody, control and supervision until the person has served the entire bifurcated sentence, except as provided in s. 304.06 (1) (b).”.

**\*b0341/2.18\* 586.** Page 1570, line 12: after that line insert:

**\*b0341/2.18\*** “SECTION 3888. 973.195 (1g) of the statutes is repealed.

**\*b0341/2.18\* SECTION 3889.** 973.195 (1r) (a) of the statutes is amended to read:

973.195 (1r) (a) An inmate who is serving a sentence imposed under s. 973.01 for a ~~crime other than a Class B Class C to Class E~~ felony may petition the sentencing court to adjust the sentence if the inmate has served at least ~~the applicable percentage~~ 85 percent of the term of confinement in prison portion of the sentence. If an inmate is subject to more than one sentence imposed under this section, the sentences shall be treated individually for purposes of sentence adjustment under this subsection.

**\*b0341/2.18\* SECTION 3890.** 973.195 (1r) (d) of the statutes is amended to read:

973.195 (1r) (d) If the sentence for which the inmate seeks adjustment is for an offense under s. 940.225 (2) ~~or (3)~~, 948.02 (2), 948.08, or 948.085, and the district attorney does not object to the petition within 10 days of receiving notice under par. (c), the district attorney shall notify the victim, as defined under s. 950.02 (4), of the inmate’s petition. The notice to the victim shall include information on the sentence adjustment petition process under this subsection, including information on how to

object to the inmate's petition. If the victim objects to adjustment of the inmate's sentence within 45 days of the date on which the district attorney received notice under par. (c), the court shall deny the inmate's petition.”.

**\*b0341/2.19\* 587.** Page 1571, line 17: after that line insert:

**\*b0341/2.19\* “SECTION 3907.** 974.07 (4) (b) of the statutes is amended to read:

974.07 (4) (b) Notwithstanding the limitation on the disclosure of mailing addresses from completed information cards submitted by victims under ss. 51.37 (10) (dx), 301.046 (4) (d), 301.048 (4m) (d), 301.38 (4), 302.105 (4), 304.06 (1) (f), 304.063 (4), 938.51 (2), 971.17 (6m) (d), and 980.11 (4), the department of corrections, the parole earned release review commission, and the department of health and family services shall, upon request, assist clerks of court in obtaining information regarding the mailing address of victims for the purpose of sending copies of motions and notices of hearings under par. (a).

**\*b0341/2.19\* SECTION 3908.** 976.03 (23) (c) of the statutes is amended to read:

976.03 (23) (c) The application shall be verified by affidavit, shall be executed in duplicate and shall be accompanied by 2 certified copies of the indictment returned, or information and affidavit filed, or of the complaint made to a judge, stating the offense with which the accused is charged, or of the judgment of conviction or of the sentence. The prosecuting officer, parole earned release review commission, warden or sheriff may also attach such further affidavits and other documents in duplicate as he, she or it deems proper to be submitted with the application. One copy of the application, with the action of the governor indicated by endorsement thereon, and one of the certified copies of the indictment, complaint, information and affidavits, or of the judgment of conviction or of the sentence shall

be filed in the office of the governor to remain of record in that office. The other copies of all papers shall be forwarded with the governor's requisition."

**\*b0470/P1.2\* 588.** Page 1576, line 18: after that line insert:

**\*b0470/P1.2\* "SECTION 3926p.** 978.01 (2) (b) of the statutes is amended to read:

978.01 (2) (b) A district attorney serves on a part-time basis if his or her prosecutorial unit consists of Buffalo, Florence, Pepin, Trempealeau or Vernon county."

**\*b0358/2.1\* 589.** Page 1577, line 21: after that line insert:

**\*b0358/2.1\* "SECTION 3933q.** 995.25 of the statutes is created to read:

**995.25 Juneteenth Day.** June 19 is designated as Juneteenth Day and appropriate celebrations may be held in commemoration of that day. When June 19 falls on a Sunday, celebrations of Juneteenth Day may be held on either June 18 or June 20."

**\*b0402/P1.1\* 590.** Page 1582, line 25: after that line insert:

**\*b0402/P1.1\* "(6i) MOBILE DATA COMPUTERS FOR CITY OF FORT ATKINSON.** From the appropriation account under section 20.505 (6) (p) of the statutes, the office of justice assistance in the department of administration shall provide to the city of Fort Atkinson a grant of \$61,400 in fiscal year 2007–08 to purchase mobile data computers for law enforcement vehicles."

**\*b0370/1.1\* 591.** Page 1583, line 5: after that line insert:

**\*b0370/1.1\* "(6Lj) FEDERAL BYRNE JUSTICE ASSISTANCE GRANT FUNDING FOR WISCONSIN CASA ASSOCIATION.** In each of fiscal years 2007–08 and 2008–09, the office of justice assistance in the department of administration shall distribute

\$150,000 of the federal Byrne Justice Assistance Grant awards appropriated under section 20.505 (6) (p) of the statutes to the Wisconsin CASA Association for the support, assistance, and development of court–appointed special advocate programs under section 48.07 (5) of the statutes.”.

**\*b0396/1.1\* 592.** Page 1583, line 5: after that line insert:

**\*b0396/1.1\*** “(7f) FUNDING FOR AN EMERGENCY GENERATOR FOR THE TOWN OF SUMNER. From the appropriation account under section 20.505 (6) (mb) of the statutes, the office of justice assistance in the department of administration shall provide a grant of \$10,000 in fiscal year 2007–08 to purchase an emergency generator for the town of Sumner in Jefferson County.”.

**\*b0507/2.1\* 593.** Page 1583, line 5: after that line insert:

**\*b0507/2.1\*** “(7h) GRANT FOR JUVENILE CRIME PREVENTION. Beginning on January 1, 2008, from the appropriation account under section 20.505 (6) (p) of the statutes, the office of justice assistance in the department of administration shall provide a 3–year grant, totaling \$112,500 to the Cops–N–Kids Reading Program in the city of Racine.”.

**\*b0362/1.3\* 594.** Page 1584, line 4: after that line insert:

**\*b0362/1.3\*** “(9q) INFORMATION TECHNOLOGY SERVER CONSOLIDATION STUDY AND SUPPLEMENTAL APPROPRIATION. (a) The department of administration may not request the joint committee on finance to supplement, from the appropriation under section 20.865 (4) (g) of the statutes, the appropriation under section 20.505 (1) (kL) of the statutes for the purpose of continuing the consolidation of certain executive branch agency information technology functions until all of the following occur:

1. The department of administration completes, in consultation with other executive branch agencies, a study of the ongoing information technology server consolidation project which includes all of the following information:

a. A revised timeline for completion of server consolidation.

b. A revised analysis of the costs and benefits of proceeding with the server consolidation project, including a full-cost estimate which identifies the costs associated with leasing the existing space for the server consolidation project, any costs or savings which could be realized by leasing less space for the server consolidation project were the project to be scaled back, the costs of moving the server consolidation project to an alternate location, and the cost of retaining independent servers at executive branch agencies.

2. The department of administration submits the consolidation study required under subdivision 1. for review by the joint committee on finance and the joint committee on information policy and technology or, if the joint committee on information policy and technology is not organized, the joint legislative audit committee.

(b) For the purpose under paragraph (a), the joint committee on finance may not supplement the appropriation under section 20.505 (1) (kL) of the statutes in fiscal year 2007–08, and may not supplement the appropriation under section 20.505 (1) (kL) of the statutes by more than \$2,352,800 in fiscal year 2008–09.”.

**\*b0382/3.10\* 595.** Page 1584, line 4: after that line insert:

**\*b0382/3.10\*** “(10q) POSITION AUTHORIZATIONS; BOARD FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES. There is authorized for the board for people with



“— Lakeshore residence hall develop-  
ment phases 1 and 2 67,227,000”.

**\*b0354/1.3\* 599.** Page 1594, line 5: after that line insert (and adjust the appropriate totals accordingly):

“— Union South replacement 85,700,000

(Total project all funding sources \$87,000,000)

— Memorial Union theater wing reno-  
vation 40,500,000

(Total project all funding sources  
\$52,000,000)”.

**\*b0355/1.3\* 600.** Page 1594, line 7: after that line insert (and adjust the appropriate tables accordingly):

“— Suite style residence hall 34,000,000

Parkside — Suite style residence hall 17,740,000”.

**\*b0355/1.4\* 601.** Page 1594, line 9: after that line insert (and adjust the appropriate tables accordingly):

“River Falls — George Fields South Forks  
Residence Hall addition 14,714,000”.

**\*b0355/1.5\* 602.** Page 1594, line 10: after that line insert (and adjust the appropriate tables accordingly):

“— Suite style residence hall 36,205,000”.

**\*b0354/1.4\* 603.** Page 1594, line 15: after that line insert (and adjust the appropriate totals accordingly):



*“4. Projects financed by existing program revenue supported borrowing authority:*

Eau Claire — Davies Center addition and remodeling or replacement	8,510,400
(Total project all funding sources \$48,802,000)”.	

**\*b0355/1.6\* 604.** Page 1594, line 15: after that line insert (and adjust the appropriate tables accordingly):

“— Suite style residence hall	35,728,000”.
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**\*b0354/1.5\* 605.** Page 1594, line 16: after that line insert (and adjust the appropriate totals accordingly):

“Eau Claire — Davies Center addition and remodeling or replacement	8,885,000
(Total project all funding sources \$48,802,000)”.	

**\*b0354/1.6\* 606.** Page 1595, line 13: after that line insert (and adjust the appropriate totals accordingly):

“— Union South replacement	2,000,000
(Total project all funding sources \$87,000,000)	

— Memorial Union theater wing renovation

11,500,000

(Total project all funding sources  
\$52,000,000”).

**\*b0352/2.6\* 607.** Page 1596, line 22: after that line insert (and adjust the appropriate totals accordingly):

“(L) HMONG CULTURAL CENTER

1. *Projects financed by general fund supported borrowing:*

Hmong cultural center construction or purchase

— Dane County \$ 2,000,000

(Total project all funding sources \$4,500,000)

2. *Projects financed by gifts, grants, and other receipts:*

Hmong cultural center construction or purchase

— Dane County 2,500,000

(Total project all funding sources \$4,500,000)

3. *Agency totals:*

General fund supported borrowing 2,000,000

Gifts, grants, and other receipts 2,500,000

Total — All sources of funds \$ 4,500,000”.

**\*b0353/1.6\* 608.** Page 1597, line 14: after that line insert (and adjust the appropriate totals accordingly):

## “(n) KENOSHA PUBLIC MUSEUMS

1. *Projects financed by general fund supported**borrowing:*

Civil War exhibit	\$	500,000
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(Total project all funding sources \$2,500,000)

2. *Projects financed by gifts, grants, and other receipts:*

Civil War exhibit	2,000,000
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(Total project all funding sources \$2,500,000)

3. *Agency totals:*

General fund supported borrowing	500,000
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Gifts, grants, and other receipts	<u>2,000,000</u>
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Total — All sources of funds	\$	2,500,000”.
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**\*b0566/1.6\* 609.** Page 1597, line 14: after that line insert (and adjust the appropriate totals accordingly):

## “(mc) BOND HEALTH CENTER

1. *Projects financed by general fund supported**borrowing:*

Bond Health Center expansion — Oconto	\$	1,000,000
---------------------------------------	----	-----------

(Total project all funding sources \$3,000,000)

2. *Projects financed by gifts, grants, and other receipts:*

Bond Health Center expansion — Oconto	3,000,000
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(Total project all funding sources \$4,000,000)

3. *Agency totals:*

General fund supported borrowing	1,000,000
Gifts, grants, and other receipts	<u>3,000,000</u>
Total — All sources of funds	\$ 4,000,000”.

**\*b0352/2.7\* 610.** Page 1603, line 11: after that line insert:

**\*b0352/2.7\*** “(5i) HMONG CULTURAL CENTER. Notwithstanding section 13.48 (36) (b) of the statutes, as created by this act, the building commission shall not make a grant to an organization for purchase or construction of the Hmong cultural center project, as enumerated in subsection (1) (L), under section 13.48 (36) of the statutes, as created by this act, unless the department of administration has reviewed and approved plans for the project. Notwithstanding sections 16.85 (1) and 16.855 (1) of the statutes, the department of administration shall not supervise any services or work or let any contract for the project. Section 16.87 of the statutes does not apply to the project.”.

**\*b0353/1.7\* 611.** Page 1603, line 11: after that line insert:

**\*b0353/1.7\*** “(6i) CIVIL WAR EXHIBIT AT THE KENOSHA PUBLIC MUSEUMS. Notwithstanding section 13.48 (38) (b) of the statutes, as created by this act, the building commission shall not make a grant to the Kenosha Public Museums for construction of a Civil War exhibit project, as enumerated in subsection (1) (n), under section 13.48 (38) of the statutes, as created by this act, unless the department of administration has reviewed and approved plans for the project. Notwithstanding sections 16.85 (1) and 16.855 (1) of the statutes, the department of administration shall not supervise any services or work or let any contract for the project. Section 16.87 of the statutes does not apply to the project.”.

**\*b0566/1.7\* 612.** Page 1603, line 11: after that line insert:

**\*b0566/1.7\*** “(7j) BOND HEALTH CENTER. Notwithstanding section 13.48 (36p) (b) of the statutes, as created by this act, the building commission shall not make a grant to the Bond Health Center for construction costs related to hospital expansion, as enumerated in subsection (1) (mc), under section 13.48 (36p) of the statutes, as created by this act, unless the department of administration has reviewed and approved plans for the project. Notwithstanding sections 16.85 (1) and 16.855 (1) of the statutes, the department of administration shall not supervise any services or work or let any contract for the project. Section 16.87 of the statutes does not apply to the project.”.

**\*b0324/1.2\* 613.** Page 1604, line 3: after that line insert:

**\*b0324/1.2\*** “(1j) CIRCUIT JUDGE ELECTION. The initial election for circuit judge for branch 8 of the circuit court for Kenosha County shall be at the spring election of 2008 for terms commencing August 1, 2009, and ending July 31, 2015.

**\*b0324/1.2\*** (1k) CIRCUIT JUDGE POSITION. The authorized FTE positions for the circuit courts are increased by 1.0 GPR circuit judge position on August 1, 2009, to be funded from the appropriation under section 20.625 (1) (a) of the statutes, to provide an additional circuit court judge for the circuit court branch created by section 753.06 (2) (a) of the statutes, as affected by this act.

**\*b0324/1.2\*** (1L) COURT REPORTER POSITION. The authorized FTE positions for the circuit courts are increased by 1.0 GPR court reporter position on August 1, 2009, to be funded from the appropriation under section 20.625 (1) (a) of the statutes, to provide one court reporter for the circuit court branch created by section 753.06 (2) (a) of the statutes, as affected by this act.”.

**\*b0326/1.2\* 614.** Page 1604, line 23: after that line insert:

**\*b0326/1.2\*** “(4u) GRANT TO NANORITE FACILITY. Notwithstanding section 560.61 of the statutes, as affected by this act, the department of commerce shall make grants totaling \$160,000 in the 2007–09 fiscal biennium from the appropriation account under section 20.143 (1) (c) of the statutes, as affected by the acts of 2007, to the NanoRite facility at Chippewa Valley Technical College. The department of commerce shall enter into an agreement with the NanoRite facility that specifies the uses for the grant proceeds and reporting and auditing requirements.”.

**\*b0331/3.21\* 615.** Page 1604, line 23: after that line insert:

**\*b0331/3.21\*** “(4t) RENEWABLE ENERGY GRANTS AND LOANS; POSITION AUTHORIZATION. The authorized FTE positions for the department of commerce are increased by 1.0 SEG position on the effective date of this subsection, to be funded from the appropriation under s. 20.143 (1) (um) of the statutes, as created by this act, for the purpose of administering the renewable energy grant and loan program under s. 560.126 of the statutes, as created by this act.

**\*b0331/3.21\*** (4v) GRANT FOR PULP AND PAPER MILL. Notwithstanding section 560.126 of the statutes, as created by this act, the department of commerce shall award grants totaling not more than \$5,000,000 from the appropriation under section 20.143 (1) (tm) of the statutes, as created by this act, to the first person who operates a pulp and paper mill in this state without the use of natural gas or coal, if all of the following apply:

(a) The person submits a plan to the department specifying the proposed use of the grant and the secretary of commerce approves the plan.

(b) The department enters into a written agreement with the person that specifies the conditions for the use of the grant, including reporting and auditing requirements.

(c) The person agrees in writing to submit to the department, within 6 months after spending the grant proceeds, a report detailing how the grant proceeds were spent.”.

**\*b0336/4.4\* 616.** Page 1604, line 23: after that line insert:

**\*b0336/4.4\*** “(5i) GRANT TO CITY OF OSHKOSH. In the 2007–09 fiscal biennium, the department of commerce shall make a grant of \$25,000 from the appropriation account under section 20.143 (2) (gm) of the statutes, as affected by this act, to the city of Oshkosh, for neighborhood improvement and stabilization. The department of commerce shall enter into an agreement with the city of Oshkosh that specifies the uses for the grant proceeds and reporting and auditing requirements.”.

**\*b0502/3.2\* 617.** Page 1604, line 23: after that line insert:

**\*b0502/3.2\*** “(7f) GRANT FOR UNION TRAINING PROGRAM. Notwithstanding section 560.61 of the statutes, as affected by this act, the department of commerce shall make a grant from the appropriation account under section 20.143 (1) (c) of the statutes, as affected by the acts of 2007, of \$125,000 in fiscal 2007–08 and a grant of \$125,000 in fiscal 2008–09, to the Painters and Allied Trades District Council 7 for a training program. The department of commerce shall enter into an agreement with the Painters and Allied Trades District Council 7 that specifies the uses for the grant proceeds and reporting and auditing requirements.”.

**\*b0528/2.2\* 618.** Page 1604, line 23: after that line insert:

**\*b0528/2.2\*** “(8i) GRANT TO CITY OF EAU CLAIRE. Notwithstanding section 560.61 of the statutes, as affected by this act, the department of commerce shall make a grant of \$50,000 in the 2007–09 fiscal biennium from the appropriation account under section 20.143 (1) (c) of the statutes, as affected by this act, to the city of Eau Claire for the renovation of Hobbs Ice Arena. The department of commerce shall enter into an agreement with the city of Eau Claire that specifies the uses for the grant proceeds and reporting and auditing requirements.”.

**\*b0529/3.2\* 619.** Page 1604, line 23: after that line insert:

**\*b0529/3.2\*** “(9i) GRANT TO VILLAGE OF ASHWAUBENON. Notwithstanding section 560.61 of the statutes, as affected by this act, the department of commerce shall make a grant of \$50,000 in the 2007–09 fiscal biennium from the appropriation account under section 20.143 (1) (c) of the statutes, as affected by this act, to the village of Ashwaubenon for the construction and maintenance of Cornerstone Ice Arena. The department of commerce shall enter into an agreement with the village of Ashwaubenon that specifies the uses for the grant proceeds and reporting and auditing requirements.”.

**\*b0382/3.11\* 620.** Page 1613, line 6: after “46.77, 2005 stats.,” insert “and”.

**\*b0382/3.12\* 621.** Page 1613, line 7: delete “and to the council on”.

**\*b0382/3.13\* 622.** Page 1613, line 8: delete “developmental disabilities,”.

**\*b0382/3.14\* 623.** Page 1613, line 16: after “46.77, 2005 stats.,” insert “and”.

**\*b0382/3.15\* 624.** Page 1613, line 17: delete “and to the council on developmental”.

**\*b0382/3.16\* 625.** Page 1613, line 18: delete “disabilities,”.



**\*b0382/3.17\* 626.** Page 1615, line 2: after “stats.,” insert “and”.

**\*b0382/3.18\* 627.** Page 1615, line 3: delete “and to the council on developmental disabilities,”.

**\*b0382/3.19\* 628.** Page 1615, line 11: after “46.77, 2005 stats.,” insert “and”.

**\*b0382/3.20\* 629.** Page 1615, line 12: delete “and to the council on”.

**\*b0382/3.21\* 630.** Page 1615, line 13: delete “developmental disabilities,”.

**\*b0382/3.22\* 631.** Page 1615, line 23: after “46.77, 2005 stats.,” insert “and”.

**\*b0382/3.23\* 632.** Page 1615, line 24: delete “and to the council on developmental”.

**\*b0382/3.24\* 633.** Page 1615, line 25: delete “disabilities,”.

**\*b0382/3.25\* 634.** Page 1616, line 10: after “stats.,” insert “and”.

**\*b0382/3.26\* 635.** Page 1616, line 11: delete “and to the council on developmental disabilities,”.

**\*b0382/3.27\* 636.** Page 1616, line 19: after “46.77, 2005 stats.,” insert “and”.

**\*b0382/3.28\* 637.** Page 1616, line 20: delete “and to the council on developmental”.

**\*b0382/3.29\* 638.** Page 1616, line 21: delete “disabilities,”.

**\*b0377/1.2\* 639.** Page 1621, line 19: after that line insert:

**\*b0377/1.2\*** “(9c) STATE CENTERS FOR THE DEVELOPMENTALLY DISABLED; RELOCATIONS. The authorized FTE positions for the department of health and family services are increased by 6.64 PR positions, to be funded from the appropriation under section 20.435 (2) (gk) of the statutes, as affected by this act, for the

performance of services for residents of the state centers for the developmentally disabled.”.

**\*b0382/3.30\* 640.** Page 1621, line 19: after that line insert:

**\*b0382/3.30\*** “(9i) TRANSFER AND RENAMING OF COUNCIL ON DEVELOPMENTAL DISABILITIES.

(a) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the department of health and family services primarily related to the council on developmental disabilities, as determined by the secretary of administration, shall become the assets and liabilities of the board for people with developmental disabilities.

(b) *Employee transfers.* All incumbent employees holding positions in the department of health and family services performing duties primarily related to the functions of the council on developmental disabilities, as determined by the secretary of administration, are transferred on the effective date of this paragraph to the board for people with developmental disabilities.

(c) *Employee status.* Employees transferred under paragraph (b) have all the rights and the same status under subchapter V of chapter 111 and under chapter 230 of the statutes in the board for people with developmental disabilities that they enjoyed in the department of health and family services immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

(d) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the department of health and family

services that is primarily related to the functions of the council on developmental disabilities, as determined by the secretary of administration, is transferred to the board for people with developmental disabilities.

(e) *Contracts.* All contracts entered into by the department of health and family services in effect on the effective date of this paragraph that are primarily related to the functions of the council on developmental disabilities, as determined by the secretary of administration, remain in effect and are transferred to the board for people with developmental disabilities. The board for people with developmental disabilities shall carry out any obligations under such a contract until the contract is modified or rescinded by the board to the extent allowed under the contract.

(em) *Pending matters.* Any matter pending with the department of health and family services on the effective date of this paragraph that is primarily related to the council on developmental disabilities, as determined by the secretary of administration, is transferred to the board for people with developmental disabilities and all materials submitted to or actions taken by the department of health and family services with respect to the pending matter are considered as having been submitted to or taken by the board.”.

**\*b0388/1.1\* 641.** Page 1621, line 19: after that line insert:

**\*b0388/1.1\*** “(9p) GRANT FOR HIV INFECTION SERVICES. From the appropriation account under section 20.435 (5) (ma) of the statutes, as affected by this act, the department of health and family services shall provide to the Black Health Coalition of Wisconsin, Inc., \$100,000 in state fiscal year 2007–08 as a one–time grant to provide HIV infection outreach, education, referral, and other services.”.

**\*b0454/1.8\* 642.** Page 1621, line 19: after that line insert:

**\*b0454/1.8\*** “(9u) DANE COUNTY EARLY CHILDHOOD INITIATIVES. From the appropriation account under section 20.435 (3) (bc) of the statutes, as affected by section 341x of this act, the department of health and family services shall distribute \$250,000 in fiscal year 2007–08 for comprehensive early childhood initiatives in Dane County that provide home visiting and employment preparation and support for low–income families.”.

**\*b0473/1.3\* 643.** Page 1621, line 19: after that line insert:

**\*b0473/1.3\*** “(8x) CLINIC GRANT FOR DENTAL SERVICES. From the appropriation under section 20.435 (5) (dm) of the statutes, as affected by this act, the department of health and family services shall provide \$17,500 in fiscal year 2007–08 and \$17,500 in fiscal year 2008–09 to the Community Connections Free Clinic in Dodgeville to provide dental services to low–income residents of Iowa County and surrounding areas.”.

**\*b0330/1.4\* 644.** Page 1625, line 17: after that line insert:

**\*b0330/1.4\*** “(1i) GRANT TO CHIPPEWA FALLS. From the appropriation account under section 20.370 (6) (dq) or 20.866 (2) (th) of the statutes, the department of natural resources shall provide a grant to the city of Chippewa Falls during the 2007–09 fiscal biennium to purchase land along the business route of STH 29 near Bridge Street and River Street in the city of Chippewa Falls. The department shall make the grant under this subsection in an amount equal to \$200,000 or 70 percent of the cost of purchasing the land, whichever is less.”.

**\*b0435/1.4\* 645.** Page 1625, line 17: after that line insert:

**\*b0435/1.4\*** “(1f) RULES FOR CONTAMINATED SEDIMENT PROGRAM. Using the procedure under section 227.24 of the statutes, the department of natural resources

may promulgate the rule required under section 292.68 (11) of the statutes, as affected by this act, for the period before the effective date of the permanent rule under that provision, but not to exceed the period authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b), and (3) of the statutes, the department is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.”.

**\*b0390/3.1\* 646.** Page 1625, line 22: after that line insert:

**\*b0390/3.1\*** “(2f) MILWAUKEE COUNTY PARKS REPORT. No later than June 30, 2009, the department of natural resources shall submit a report recommending alternative ways to provide funding for parks located in Milwaukee County. The department of natural resources shall submit the report to the appropriate standing committees of the legislature in the manner provided under section 13.172 (3) of the statutes.”.

**\*b0387/3.5\* 647.** Page 1627, line 3: delete lines 3 to 7.

**\*b0327/1.1\* 648.** Page 1627, line 15: after that line insert:

**\*b0327/1.1\*** “(4c) AQUATIC INVASIVE SPECIES GRANT. From the appropriation under section 20.370 (6) (as) of the statutes, as created by this act, the department of natural resources shall provide a \$25,000 grant in fiscal year 2007–08 to the city of Oshkosh under section 23.22 (2) (c) of the statutes, as affected by this act, to fund aquatic invasive species education, prevention, and control activities in Miller’s Bay and the adjacent waters of Lake Winnebago. Notwithstanding the cost-sharing requirements specified under section 23.22 (2) (c) of the statutes, as affected by this

act, the city of Oshkosh need not make any cost–share contributions to match the grant provided under this subsection.”.

**\*b0350/1.50\* 649.** Page 1627, line 15: after that line insert:

**\*b0350/1.50\*** “(4t) EMISSIONS INSPECTION PROGRAM POSITION.

(a) The authorized FTE positions for the department of natural resources, funded from the appropriation under section 20.370 (2) (cq) of the statutes, as affected by this act, are decreased in fiscal year 2008–09 by 0.75 FTE position, for the purpose of the vehicle emission inspection and maintenance program.

(b) The authorized FTE positions for the department of natural resources, funded from the appropriation under section 20.370 (2) (cf) of the statutes, as created by this act, are increased in fiscal year 2008–09 by 0.75 FTE position, for the purpose of the vehicle emission inspection and maintenance program.”.

**\*b0389/3.1\* 650.** Page 1627, line 15: after that line insert:

**\*b0389/3.1\*** “(4f) DULUTH–SUPERIOR HARBOR STUDY. Of the amounts appropriated under section 20.370 (5) (cq) of the statutes, as affected by this act, and before applying the percentages under section 30.92 (4) (b) 6. of the statutes, the department of natural resources shall provide \$100,000 in fiscal year 2007–08 to the city of Superior for a project to study dock wall corrosion in the Duluth–Superior Harbor. The city of Superior need not contribute any moneys to match the amount expended from the appropriation under section 20.370 (5) (cq) of the statutes. Notwithstanding section 30.92 (1) (c) and (4) (b) 7. of the statutes, the study of dock wall corrosion in the Duluth–Superior Harbor is a qualifying project for the purpose of expending moneys under this subsection. This project need not be placed on the priority list under section 30.92 (3) (a) of the statutes.”.

**\*b0482/2.2\* 651.** Page 1627, line 15: after that line insert:

“(4g) ALL-TERRAIN VEHICLE TRAILS IN NORTHERN HIGHLAND-AMERICAN LEGION STATE FOREST. From the appropriation under section 20.370 (1) (ms) of the statutes, the department of natural resources may spend up to \$504,100 during fiscal year 2007–08 for the development of all-terrain vehicle trails in the Northern Highland–American Legion State Forest, subject to paragraph (b).

(b) Expenditures under this subsection shall be approved by the natural resources board.”.

**\*b0538/2.3\* 652.** Page 1629, line 18: after that line insert:

**\*b0538/2.3\*** “(7c) LA CAUSA CHARTER SCHOOL.

(a) Notwithstanding section 196.218 (5) (a) of the statutes, in the 2007–08 fiscal year the department of public instruction shall pay the amount appropriated under section 20.255 (2) (u) of the statutes, as created by this act, to La Causa Charter School in the city of Milwaukee.

(b) Notwithstanding section 196.218 (3) (a) of the statutes, the public service commission shall ensure that the contributions from telecommunications providers under that paragraph are sufficient to generate the amount appropriated under section 20.255 (2) (u) of the statutes, as created by this act.”.

**\*b0494/1.6\* 653.** Page 1630, line 4: delete lines 4 to 6.

**\*b0480/3.18\* 654.** Page 1630, line 17: delete lines 17 to 23.

**\*b0544/2.2\* 655.** Page 1631, line 6: after that line insert:

**\*b0544/2.2\*** “(1f) DEPARTMENT OF REVENUE STUDY; UTILITY LICENSE FEES. No later than December 31, 2008, the department of revenue shall convene a study group to assess the feasibility and desirability of imposing local general property taxes or

their equivalent on all property, other than production plants, of electric cooperatives, municipal utilities, and light, heat, and power companies. The study group shall include residents of communities that host public utility property; representatives of electric cooperatives, municipal utilities, and light, heat, and power companies; members of the public who have expertise in the taxation of public utilities and in transmission line siting; and any other individuals who the department of revenue believes to have expertise related to the study. No later than May 1, 2009, the study group shall report its findings and recommendations to the legislature under section 13.172 (2) of the statutes.”.

**\*b0378/3.6\* 656.** Page 1632, line 2: after that line insert:

**\*b0378/3.6\*** “(2t) WASTE TREATMENT FACILITY EXEMPTIONS.

(a) Notwithstanding any other provision of chapter 70 of the statutes, property tax assessments under section 70.11 (21) of the statutes, as affected by this act, as of January 1, 2007, supersede any other property tax assessments under section 70.11 (21), 2005 stats., for property tax assessments as of January 1, 2007, that are made prior to the effective date of this subsection. Notwithstanding sections 70.47 (7) and 70.995 (8) of the statutes, an objection to a property tax assessment under section 70.11 (21) of the statutes, as affected by this act, for property tax assessments as of January 1, 2007, may be filed no later than 60 days after the effective date of this subsection or no later than the time allowed under sections 70.47 (7) and 70.995 (8) of the statutes, whichever is later.

(b) Section 77.54 (26) of the statutes, as affected by this act, does not apply to tangible personal property purchased in fulfillment of a contract to construct, repair, or improve a waste treatment facility, if the contract is entered into, or a formal bid



is made, prior to the effective date of this subsection and the tangible personal property is affixed to and made a structural part of the waste treatment facility.”.

**\*b0350/1.51\* 657.** Page 1632, line 23: delete “, 2005 stats.,” and substitute “of the statutes”.

**\*b0350/1.52\* 658.** Page 1633, line 2: delete “, 2005”.

**\*b0350/1.53\* 659.** Page 1633, line 3: delete “stats.,” and substitute “of the statutes”.

**\*b0320/2.1\* 660.** Page 1633, line 19: after that line insert:

**\*b0320/2.1\*** “(3i) CITY OF JANESVILLE PEDESTRIAN TUNNEL PROJECT. In the 2007–09 fiscal biennium, from the appropriation under section 20.395 (2) (qx) of the statutes, as created by this act, the department of transportation shall award a grant under section 85.029 (3) of the statutes, as created by this act, of \$235,000 to the city of Janesville in Rock County for a pedestrian tunnel project for the Spring Brook Trail under East Milwaukee Street in the city of Janesville, if the department determines that the project is eligible for federal safe routes to school funds.”.

**\*b0356/P1.1\* 661.** Page 1634, line 13: after that line insert:

**\*b0356/P1.1\*** “(6j) I 43 PROJECT IN ROCK COUNTY. The department of transportation shall complete, during the 2007–09 fiscal biennium, the pavement rehabilitation project on I 43 between I 39/90 and STH 140 in Rock County.”.

**\*b0357/P1.1\* 662.** Page 1634, line 13: after that line insert:

**\*b0357/P1.1\*** “(6i) USH 14 PROJECT IN ROCK COUNTY AND WALWORTH COUNTY. The department of transportation shall complete, during the 2007–09 fiscal biennium, the pavement resurfacing project on USH 14 between CTH “O” and STH 89 in Rock and Walworth counties.”.

**\*b0379/P1.1\* 663.** Page 1634, line 13: after that line insert:

**\*b0379/P1.1\*** “(5i) STATE TRUNK HIGHWAY ADDITION STUDY. The department of transportation shall, under section 84.295 (2) of the statutes, study whether Tolles Road in Rock County should be added to the state trunk highway system as an extension to STH 138, and, by June 30, 2008, submit a report presenting the results of that study to the governor, and to the legislature in the manner provided under section 13.172 (2) of the statutes.”.

**\*b0425/2.1\* 664.** Page 1636, line 6: after that line insert:

**\*b0425/2.1\*** “(9b) RED BRIDGE RESTORATION PROJECT IN TOWN OF ARMSTRONG CREEK. In the 2007–09 fiscal biennium, from the appropriation under section 20.395 (2) (nx) of the statutes, the department of transportation shall award a grant under section 85.026 (2) of the statutes to the town of Armstrong Creek in Forest County for the historical restoration project involving the Red Bridge over Armstrong Creek if the department determines that the project is eligible for federal transportation enhancement funds and if the town of Armstrong Creek applies for the grant and contributes funds for the project that total at least 20 percent of the costs of the project. The amount of the grant awarded under this subsection shall be \$50,000 or 80 percent of the total cost of this historical restoration project, whichever is less.”.

**\*b0426/P1.2\* 665.** Page 1636, line 6: after that line insert:

**\*b0426/P1.2\*** “(9x) UTILITY INSTALLATION COST REIMBURSEMENT TO THE CITY OF CRANDON. In the 2007–09 fiscal biennium, from the appropriation under section 20.395 (3) (cq) of the statutes, the department of transportation shall reimburse the city of Crandon in Forest County for a portion of the cost of installing water and sewer utilities across USH 8 associated with the development of a Best Western Hotel in

the city of Crandon. The city of Crandon shall submit to the department of transportation a request for reimbursement under this subsection that includes the actual cost of the utility installation work described in this subsection and an estimate, determined by the city, of the cost of the utility installation work if traffic had been detoured off USH 8 during the utility installation work. The amount of reimbursement under this subsection shall be \$150,000 or the difference between the actual cost of the utility installation work and the city's estimated cost of the utility installation work if traffic had been detoured off USH 8, whichever is less.”.

**\*b0427/P1.1\* 666.** Page 1636, line 6: after that line insert:

**\*b0427/P1.1\*** “(9cc) MADELINE ISLAND IMPROVEMENT PROJECT. In the 2007–09 fiscal biennium, from the appropriation under section 20.395 (2) (fx) of the statutes, the department of transportation shall provide \$2,100,000 to Ashland County for the CTH “H” improvement project on Madeline Island in Ashland County if, at any time during the fiscal biennium, providing such funds is consistent with federal law.”.

**\*b0428/1.1\* 667.** Page 1636, line 6: after that line insert:

**\*b0428/1.1\*** “(8i) CITY OF WHITEWATER MULTIUSE TRAIL PROJECT. In the 2007–09 fiscal biennium, from the appropriation under section 20.395 (2) (nx) of the statutes, the department of transportation shall award a grant under section 85.026 (2) of the statutes to the city of Whitewater in Walworth County for a project extending the multiuse trail to Willis Ray Road if the department determines that the project is eligible for federal transportation enhancement funds and if the city of Whitewater applies for the grant and contributes funds for the project that total at least 20 percent of the costs of the project. The amount of the grant awarded under this

subsection shall be \$150,000 or 80 percent of the total cost of the multiuse trail extension project, whichever is less.”.

**\*b0429/1.1\* 668.** Page 1636, line 6: after that line insert:

**\*b0429/1.1\*** “(8b) VILLAGE OF FOOTVILLE WALKING TRAIL PROJECT. In the 2007–09 fiscal biennium, from the appropriation under section 20.395 (2) (nx) of the statutes, the department of transportation shall award a grant under section 85.026 (2) of the statutes to the village of Footville in Rock County for a walking trail paving project if the department determines that the project is eligible for federal transportation enhancements funds and if the village of Footville applies for the grant and contributes funds for the project that total at least 20 percent of the costs of the project. The amount of the grant awarded under this subsection shall be \$15,000 or 80 percent of the total cost of the walking trail paving project, whichever is less.”.

**\*b0430/2.1\* 669.** Page 1636, line 6: after that line insert:

**\*b0430/2.1\*** “(9c) WEST ALLIS CROSSTOWN BIKE TRAIL PROJECT. In the 2007–09 fiscal biennium, from the appropriation under section 20.395 (2) (kx) of the statutes, the department of transportation shall award a grant under section 85.245 (1) of the statutes in the amount of \$800,000 to the city of West Allis in Milwaukee County for the construction of the West Allis crosstown bike trail if the department determines that the project is eligible for federal congestion mitigation and air quality improvement funds and if the city of West Allis applies for the grant and contributes funds for the project that total at least 20 percent of the costs of the project.”.

**\*b0445/2.1\* 670.** Page 1636, line 6: after that line insert:

**\*b0445/2.1\*** “(9d) STUDY AND REPORT RELATING TO TRANSPORTATION IMPROVEMENTS IN THE CITY OF EAU CLAIRE. The department of transportation shall

conduct a study that examines potential transportation improvements that could improve the access to businesses and promote economic development along CTH “T” north of STH 312 in the city of Eau Claire. Not later than June 30, 2008, the department of transportation shall submit a report to the governor, and to the legislature in the manner provided under section 13.172 (2) of the statutes, summarizing the results of this study.”.

**\*b0448/1.1\* 671.** Page 1636, line 6: after that line insert:

**\*b0448/1.1\*** “(10b) TRAFFIC CONTROL SIGNALS IN THE TOWN OF ALBION. In the 2007–09 fiscal biennium, the department of transportation shall install traffic control signals at the intersection of USH 51 and Albion Road/Haugen Road in the town of Albion in Dane County.”.

**\*b0479/1.1\* 672.** Page 1636, line 6: after that line insert:

**\*b0479/1.1\*** “(11x) GRANTS TO THE TOWN OF POUND. In the 2007–09 fiscal biennium, from the appropriation under section 20.395 (2) (iq) of the statutes, the department of transportation shall award a grant under section 84.185 of the statutes, as affected by this act, in the amount of \$500,000, to the town of Pound in Marinette County for the extension of N. 19th Road to W. 16th Road. The provisions of section 84.185 of the statutes, as affected by this act, relating to the awarding of grants, the amount of grants, and the eligibility requirements for grants, including a required local contribution under section 84.185 (2) (b) 5. of the statutes, do not apply to grants awarded under this subsection.”.

**\*b0517/2.1\* 673.** Page 1636, line 6: after that line insert:

**\*b0517/2.1\*** “(12x) MILWAUKEE COUNTY PEDESTRIAN BRIDGE AND PATH PROJECT. In the 2007–09 fiscal biennium, from the appropriation under section 20.395 (2) (nx)

of the statutes, the department of transportation shall award a grant under section 85.026 (2) of the statutes in the amount of \$100,000 to Milwaukee County for the construction of a pedestrian bridge and path at the Milwaukee Urban Ecology Center, if the department determines that the project is eligible for federal transportation enhancement funds and if Milwaukee County applies for the grant and contributes funds for this project that total at least 20 percent of the costs of the project.”.

**\*b0518/2.1\* 674.** Page 1636, line 6: after that line insert:

**\*b0518/2.1\*** “(12y) CITY OF RACINE STREETSCLAPING PROJECT. In the 2007–09 fiscal biennium, from the appropriation under section 20.395 (2) (nx) of the statutes, the department of transportation shall award a grant under section 85.026 (2) of the statutes in the amount of \$400,000 to the city of Racine in Racine County for a streetscaping project on 6th Street between Main Street and Grand Avenue, if the department determines that the project is eligible for federal transportation enhancement funds and if the city of Racine applies for the grant and contributes funds for this project that total at least \$100,000.”.

**\*b0519/2.1\* 675.** Page 1636, line 6: after that line insert:

**\*b0519/2.1\*** “(12z) CITY OF KENOSHA 39TH AVENUE EXTENSION PROJECT. In the 2007–09 fiscal biennium, from the appropriation under section 20.395 (2) (fx) of the statutes, the department of transportation shall provide \$800,000 to the city of Kenosha in Kenosha County for the extension of 39th Avenue from 18th Street to 26th Street, if the department determines that the project is eligible for federal funds provided for purposes described in section 20.395 (2) (fx) of the statutes. The funds provided under this subsection to the city of Kenosha are in addition to any other

funds that may be available to the city of Kenosha for purposes described in section 20.395 (2) (fx) of the statutes.”.

**\*b0436/3.6\* 676.** Page 1637, line 7: delete lines 7 to 11.

**\*b0499/2.2\* 677.** Page 1638, line 16: after that line insert:

**\*b0499/2.2\*** “(3t) LUNG CANCER RESEARCH. Of the moneys appropriated to the Board of Regents of the University of Wisconsin System under section 20.285 (1) (a) of the statutes for the 2008–09 fiscal year, the board may expend all but \$5,000,000 if the board does not receive \$5,000,000 in gifts and grants from private sources in that fiscal year to support lung cancer research at the University of Wisconsin Paul P. Carbone Comprehensive Cancer Center. If the board receives \$5,000,000 in gifts and grants from private sources in that fiscal year to support such research, the board may expend an additional \$5,000,000 in that fiscal year to support such research.”.

**\*b0322/1.3\* 678.** Page 1639, line 7: after that line insert:

**\*b0322/1.3\*** “(3i) KOREAN WAR MEMORIAL REFURBISHMENT. From the appropriation under section 20.485 (2) (e) of the statutes, as created by this act, the department of veterans affairs shall provide \$165,000 during fiscal year 2007–08 for the refurbishment of the Korean War memorial at Plover. No moneys may be provided under this subsection until the veterans groups that are raising funds for refurbishing the Korean War memorial at Plover raise matching funds of at least \$165,000.”.

**\*b0369/1.9\* 679.** Page 1643, line 6: after that line insert:

**\*b0369/1.9\*** “(6k) REGULATION OF TRAVELING SALES CREWS; RULE MAKING. The department of workforce development shall submit in proposed form the rules

required under section 103.34 (13) of the statutes, as created by this act, to the legislative council staff under section 227.15 (1) of the statutes no later than the first day of the 6th month beginning after the effective date of this subsection. Notwithstanding section 227.137 (2) of the statutes, the secretary of administration may not require the department of workforce development to prepare an economic impact report for those rules.”.

**\*b0373/P3.11\* 680.** Page 1643, line 21: after that line insert:

**\*b0373/P3.11\*** “(3i) TRANSFER OF ATTORNEY AND LEGAL STAFF POSITIONS.

(a) *Definitions.* In this subsection:

1. “Legal staff” means the individuals as determined by the secretary of administration who provide support services for attorneys.

2. “State agency” means an office, commission, department, independent agency, or board in the executive branch of state government, except the following:

- a. The public service commission.
- b. The public defender board.
- c. The Board of Regents of the University of Wisconsin System.
- d. The University of Wisconsin Hospitals and Clinics Board.
- e. The state of Wisconsin investment board.
- f. The office of the governor.
- g. The government accountability board.
- h. The department of justice.
- i. The employment relations commission.
- j. The department of military affairs.
- k. The department of public instruction.



L. The Board on Aging and Long–Term Care.

(b) *State agency attorneys and legal staff.* Except as provided in paragraph (c) and subject to paragraph (d), on the effective date of this paragraph all attorney positions in state agencies and all legal staff positions in state agencies are transferred to the division of legal services in the department of administration.

(c) *Hearing officers, hearing examiners, and administrative law judges.*

1. Except as provided in subdivision 2. and subject to paragraph (d), on the effective date of this subdivision all positions identified by the secretary of administration as hearing officers, hearing examiners, or administrative law judges are transferred to the division of hearings and appeals in the department of administration.

2. Subdivision 1. does not apply to hearing officers, hearing examiners, or administrative law judges in the department of workforce development.

(d) *Exceptions.* Paragraphs (b) and (c) do not apply to any of the following:

1. State employees working in an office of a district attorney under section 978.12 (1) (b) or (c) of the statutes.

2. One lead attorney in the office of state employment relations whose duties include the negotiation and interpretation of collective bargaining agreements entered into under subchapter V of chapter 111 of the statutes.

3. One attorney position in each of the following state agencies, identified by the secretary of administration as the general counsel or lead attorney position:

- a. Department of administration.
- b. Department of agriculture, trade and consumer protection.
- c. Department of children and families.
- d. Department of commerce.

- e. Department of corrections.
- f. Department of employee trust funds.
- g. Department of financial institutions.
- h. Department of health and family services.
- j. Department of natural resources.
- L. Department of regulation and licensing.
- m. Department of revenue.
- n. Department of transportation.
- o. Department of veterans affairs.
- p. Department of workforce development.
- q. Office of the commissioner of insurance.

(dm) *Position increases and decreases.*

1. The authorized FTE positions for the department of agriculture, trade and consumer protection, funded from the appropriation under section 20.115 (1) (gb) of the statutes, as affected by this act, are decreased by 1.0 FTE position, for the purpose of transferring positions under this section.

1g. The authorized FTE positions for the department of agriculture, trade and consumer protection, funded from the appropriation under section 20.115 (7) (r) of the statutes, as affected by this act, are decreased by 1.0 FTE position, for the purpose of transferring positions under this section.

1r. The authorized FTE positions for the department of agriculture, trade and consumer protection, funded from the appropriation under section 20.115 (8) (a) of the statutes, as affected by this act, are decreased by 4.5 FTE positions, for the purpose of transferring positions under this section.

2. The authorized FTE positions for the department of commerce, funded from the appropriation under section 20.143 (3) (r) of the statutes, as affected by this act, are decreased by 0.5 FTE position, for the purpose of transferring positions under this section.

2m. The authorized FTE positions for the department of commerce, funded from the appropriation under section 20.143 (3) (w) of the statutes, as affected by this act, are decreased by 1.5 FTE positions, for the purpose of transferring positions under this section.

3. The authorized FTE positions for the department of financial institutions, funded from the appropriation under section 20.144 (1) (g) of the statutes, as affected by this act, are decreased by 5.0 FTE positions, for the purpose of transferring positions under this section.

4. The authorized FTE positions for the office of the commissioner of insurance, funded from the appropriation under section 20.145 (1) (g) of the statutes, as affected by this act, are decreased by 5.0 FTE positions, for the purpose of transferring positions under this section.

5. The authorized FTE positions for the department of regulation and licensing, funded from the appropriation under section 20.165 (1) (g) of the statutes, as affected by this act, are decreased by 28.0 FTE positions, for the purpose of transferring positions under this section.

5m. The authorized FTE positions for the department of regulation and licensing, funded from the appropriation under section 20.165 (1) (i) of the statutes, as affected by this act, are decreased by 1.0 FTE position, for the purpose of transferring positions under this section.

6. The authorized FTE positions for the department of natural resources, funded from the appropriation under section 20.370 (2) (gh) of the statutes, as affected by this act, are decreased by 0.5 FTE positions, for the purpose of transferring position under this section.

6d. The authorized FTE positions for the department of natural resources, funded from the appropriation under section 20.370 (3) (mk) of the statutes, as affected by this act, are decreased by 0.5 FTE position, for the purpose of transferring positions under this section.

6h. The authorized FTE positions for the department of natural resources, funded from the appropriation under section 20.370 (8) (ma) of the statutes, as affected by this act, are decreased by 3.0 FTE positions, for the purpose of transferring positions under this section.

6k. The authorized FTE positions for the department of natural resources, funded from the appropriation under section 20.370 (8) (mq) of the statutes, as affected by this act, are decreased by 0.5 FTE position, for the purpose of transferring positions under this section.

6p. The authorized FTE positions for the department of natural resources, funded from the appropriation under section 20.370 (8) (mu) of the statutes, as affected by this act, are decreased by 6.0 FTE positions, for the purpose of transferring positions under this section.

6s. The authorized FTE positions for the department of natural resources, funded from the appropriation under section 20.370 (8) (mz) of the statutes, as affected by this act, are decreased by 6.0 FTE positions, for the purpose of transferring positions under this section.

7. The authorized FTE positions for the department of transportation, funded from the appropriation under section 20.395 (4) (aq) of the statutes, as affected by this act, are decreased by 10.0 FTE positions, for the purpose of transferring positions under this section.

8. The authorized FTE positions for the department of corrections, funded from the appropriation under section 20.410 (1) (a) of the statutes, as affected by this act, are decreased by 6.5 FTE positions, for the purpose of transferring positions under this section.

8m. The authorized FTE positions for the department of corrections, funded from the appropriation under section 20.410 (3) (hm) of the statutes, as affected by this act, are decreased by 0.3 FTE position, for the purpose of transferring positions under this section.

9. The authorized FTE positions for the department of health and family services, funded from the appropriation under section 20.435 (8) (a) of the statutes, as affected by this act, are decreased by 9.56 FTE positions, for the purpose of transferring positions under this section.

9m. The authorized FTE positions for the department of health and family services, funded from the appropriation under section 20.435 (8) (n) of the statutes, as affected by this act, are decreased by 8.94 FTE positions, for the purpose of transferring positions under this section.

10. The authorized FTE positions for the department of children and families, funded from the appropriation under section 20.437 (2) (a) of the statutes, as affected by this act are decreased by 0.08 FTE position, for the purpose of transferring positions under this section.

10g. The authorized FTE positions for the department of children and families, funded from the appropriation under section 20.437 (2) (mc) of the statutes, as affected by this act, are decreased by 0.37 FTE position, for the purpose of transferring positions under this section.

10m. The authorized FTE positions for the department of children and families, funded from the appropriation under section 20.437 (3) (a) of the statutes, as created by this act, are decreased by 2.55 FTE positions, for the purpose of transferring positions under this section.

10r. The authorized FTE positions for the department of children and families, funded from the appropriation under section 20.437 (3) (n) of the statutes, as created by this act, are decreased by 0.3 FTE position, for the purpose of transferring positions under this section.

11. The authorized FTE positions for the department of workforce development, funded from the appropriation under section 20.445 (1) (a) of the statutes, as affected by this act, are decreased by 0.55 FTE position, for the purpose of transferring positions under this section.

12. The authorized FTE positions for the department of veterans affairs, funded from the appropriation under section 20.485 (1) (gk) of the statutes, as affected by this act, are decreased by 0.1 FTE position, for the purpose of transferring positions under this section.

12g. The authorized FTE positions for the department of veterans affairs, funded from the appropriation under section 20.485 (2) (u) of the statutes, as affected by this act, are decreased by 0.4 FTE position, for the purpose of transferring positions under this section.

12r. The authorized FTE positions for the department of veterans affairs, funded from the appropriation under section 20.485 (3) (s) of the statutes, as affected by this act, are decreased by 1.5 FTE positions, for the purpose of transferring positions under this section.

13. The authorized FTE positions for the department of administration, funded from the appropriation under section 20.505 (1) (a) of the statutes, as affected by this act, are decreased by 2.0 FTE positions, for the purpose of transferring positions under this section.

13m. The authorized FTE positions for the department of administration, funded from the appropriation under section 20.505 (1) (v) of the statutes, as affected by this act, are decreased by 1.0 FTE position, for the purpose of transferring positions under this section.

14. The authorized FTE positions for the department of employee trust funds, funded from the appropriation under section 20.515 (1) (w) of the statutes, as affected by this act, are decreased by 1.0 FTE position, for the purpose of transferring positions under this section.

15. The authorized FTE positions for the office of state employment relations, funded from the appropriation under section 20.545 (1) (a) of the statutes, as affected by this act, are decreased by 1.0 FTE position, for the purpose of transferring positions under this section.

16. The authorized FTE positions for the department of revenue, funded from the appropriation under section 20.566 (3) (a) of the statutes, as affected by this act, are decreased by 15.05 FTE positions, for the purpose of transferring positions under this section.

16m. The authorized FTE positions for the department of revenue, funded from the appropriation under section 20.566 (8) (q) of the statutes, as affected by this act, are decreased by 0.7 FTE position, for the purpose of transferring positions under this section.

17. The authorized FTE positions for the department of administration, funded from the appropriation under section 20.505 (1) (kr) of the statutes, as created by this act, are increased by 125.90 FTE positions, for the purpose of transferring positions under this section.

(e) *Incumbents.* All incumbent employees holding positions that are transferred under paragraphs (b) and (c) are transferred on the effective date of this paragraph to the department of administration. Employees transferred under these paragraphs have all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the department of administration that they enjoyed in their respective state agencies immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

(f) *Materials.* On the effective date of this paragraph, all equipment, supplies, and furniture required for the provision of legal services by employees transferred under paragraphs (b) and (c) are transferred to the department of administration. The secretary of administration shall identify the equipment, supplies, and furniture to be transferred.”.

**\*b0526/2.1\* 681.** Page 1643, line 21: after that line insert:

**\*b0526/2.1\*** “(3t) LEVY LIMIT EXCEPTION; COUNTY CHARGES TO RECOVERY UNLAWFUL PROPERTY TAXES. The limit otherwise applicable under section 66.0602 of the statutes



does not apply to an amount that a municipality levied in 2006 as a county special charge to recover unlawful real estate taxes that were included on a municipality's statement of taxes for 2006 that was filed with the department of revenue if the special charge resulted from a 2005 tax amount that was rescinded due to an error, as that term is used in section 74.33 (1) of the statutes.”.

**\*b0471/5.61\* 682.** Page 1644, line 14: after that line insert:

**\*b0471/5.61\*** “(4c) HEALTHY WISCONSIN PLAN.

(a) *Legislative findings.* In establishing the Healthy Wisconsin Plan under chapter 260 of the statutes, as created by this act, the legislature finds all of the following:

1. ‘Costs.’ Health care costs in Wisconsin are rising at an unsustainable rate making the need for comprehensive reform urgent. Rising costs are seriously threatening the ability of Wisconsin businesses to globally compete; farms to thrive; government to provide needed services; schools to educate; and local citizens to form new and successful business ventures. Some indicators of rising costs are the following:

a. Total health care spending in Wisconsin in 2007 is projected to be \$42.3 billion, and is projected to grow 82 percent, to \$76.9 billion, in the next decade.

b. The cost of employer–provided health care in Wisconsin increased by 9.3 percent in 2006, averaging \$9,516 per employee. This figure is 26 percent more than the national average.

c. Employee premium contributions and out–of–pocket costs are rising faster than wages.

d. Rising costs have led to a decline in employer–provided health benefits. In 1979, 73 percent of private–sector Wisconsin workers had employer–based health insurance coverage; however, only 57 percent received health benefits in 2004.

e. At least one–half of all personal bankruptcies in the United States are the result of medical expenses. Over 75.7 percent of this group had insurance at the onset of illness. In 2004, there were 13,454 medical bankruptcies in Wisconsin affecting 37,360 people.

f. The costs of health services provided to individuals who are unable to pay are shifted to others. Of the \$22 billion charged by hospitals in 2005, \$736,000,000 was not collected. Those who bear the burden of this cost shift have an increasingly difficult time paying their own health care costs.

2. ‘Access.’ There is a large and increasing number of people who have no health insurance or who are underinsured. For this growing population, health care is unaffordable and, most often, not received in the most timely and effective manner. Some indicators of lack of access to health care are as follows:

a. Over one 500,000 Wisconsin residents were uninsured at any given point during 2007.

b. Over 65 percent of the uninsured in Wisconsin are employed.

c. The uninsured are less likely to seek care and, thus, have poorer health outcomes compared to the insured population.

d. In 2007, total spending on the uninsured in Wisconsin is projected to reach over \$1,000,000,000. About 23.2 percent of this amount will be in the form of uncompensated care; 21.7 percent will be provided through public programs; and 37.5 percent will be paid by the uninsured individuals.

3. ‘Inequity.’ The health care system contains inequities. Some indicators of inequity are as follows:

a. Wisconsin businesses are competing on an uneven playing field. The majority of Wisconsin businesses that do insure their workers are subsidizing those businesses that are not paying their fair share for health care.

b. Our current system forces the sick and the aging to pay far higher premiums than the healthy and those covered under group plans, rather than spreading the risk across the broadest pool possible.

c. The uninsured face medical charges by hospitals, doctors, and other health care providers that are 2.5 times what public and private health insurers pay.

4. ‘Inefficiency.’ Wisconsin does not have a clearly defined, integrated health care system. Our health care system is complex, fragmented, and disease–focused rather than health–focused, resulting in massive inefficiencies and placing inordinate administrative burdens on health care professionals. Some indicators of inefficiency are as follows:

a. Health care financing is accomplished through a patchwork of public programs, private sector employer–sponsored self–insurance, commercial insurance, and individual payers. The most recent study for Wisconsin estimates that about 27 cents of every health care dollar is spent on marketing, overhead, and administration, leaving only 73 cents left to deliver medical care.

b. This fragmentation and misaligned financial incentives lead, in some instances, to excessive or inadequate care and create barriers to coordination and accountability among health care professionals, payers, and patients.

c. The Institute of Medicine estimates that between 30 cents and 40 cents of every health care dollar is spent on costs of poor quality — overuse, underuse,

misuse, duplication, system failures, unnecessary repetition, poor communication, and inefficiency. Included in this inefficiency are an unacceptable number of adverse events attributable to medical errors. Patients receive appropriate care based on known “best practices” only about one–half of the time.

d. The best care results from the conscientious, explicit, and judicious use of current best evidence and knowledge of patient values by well–trained, experienced clinicians.

5. ‘Limitations on reform.’ Federal laws and programs, such as Medicaid, Medicare, Tri–Care, and Champus, constrain Wisconsin’s ability to establish immediately a fully integrated health care system.

6. ‘Wisconsin as a laboratory for the nation.’ Wisconsin is in a unique position to successfully implement major health care reform. Many providers are already organized into comprehensive delivery systems and have launched innovative pilot programs to improve both the quality and efficiency of their care. Wisconsin is at the forefront in developing systems for health information transparency. Organizations such as the Wisconsin Collaborative for Healthcare Quality, Wisconsin Health Information Organization, and the Wisconsin Hospital Association have launched ambitious projects to provide data on quality, safety, and pricing.

(b) *Initial terms of Healthy Wisconsin Authority board.* Notwithstanding the lengths of terms of the members of the board of the Healthy Wisconsin Authority specified in section 260.05 (1) of the statutes, as created by this act, the initial members shall be appointed for the following terms:

1. One member each from section 260.05 (1) (a), (b), and (g) of the statutes, as created by this act, for terms that expire on July 1, 2009.

2. One member each from section 260.05 (1) (a), (b), and (e) of the statutes, as created by this act, for terms that expire on July 1, 2010.

3. One member each from section 260.05 (1) (c), (e), and (g) of the statutes, as created by this act, for terms that expire on July 1, 2011.

4. One member each from section 260.05 (1) (d), (f), and (g) of the statutes, as created by this act, for terms that expire on July 1, 2012.

5. One member each from section 260.05 (1) (a) and (b) of the statutes, as created by this act, for terms that expire on July 1, 2013.

6. One member each from section 260.05 (1) (a) and (b) of the statutes, as created by this act, for terms that expire on July 1, 2014.

(c) *Provisional appointments.* Notwithstanding the requirement for senate confirmation of the appointment of the members of the board of the Healthy Wisconsin Authority under section 260.05 (1) of the statutes, as created by this act, the initial members may be provisionally appointed by the governor, subject to confirmation by the senate. Any such appointment shall be in full force until acted upon by the senate, and when confirmed by the senate shall continue for the remainder of the term, or until a successor is chosen and qualifies. A provisional appointee may exercise all of the powers and duties of the office to which such person is appointed during the time in which the appointee qualifies. Any appointment made under this subsection that is withdrawn or rejected by the senate shall lapse. When a provisional appointment lapses, a vacancy occurs. Whenever a new legislature is organized, any appointments then pending before the senate shall be referred by the president to the appropriate standing committee of the newly organized senate.

(d) *Property tax credit.* If with respect to levies imposed for 2009, any taxing jurisdiction, as defined in section 74.01 (7) of the statutes, reduces the costs of providing health care coverage to its employees as a result of providing that coverage under the Healthy Wisconsin Plan under chapter 260 of the statutes, as created by this act, together with any supplemental coverage needed to ensure that the health care coverage provided to employees of the taxing jurisdiction is actuarially equivalent to the coverage they received in 2008, the taxing jurisdiction shall distribute at least 50 percent of the savings to the property taxpayers in the taxing jurisdiction as a reduction in the property tax assessments as of January 1, 2009. The reduction shall be calculated based on the equalized value of the property, as determined under section 70.57 of the statutes, and shall reduce the property taxes otherwise payable in that year.”.

**\*b0508/1.2\* 683.** Page 1644, line 14: after that line insert:

“(f) The sum of \$50,000 to the Cleghorn Community Center in the town of Pleasant Valley in Eau Claire County for parking lot and road improvements at the center.”.

**\*b0454/1.9\* 684.** Page 1644, line 22: after that line insert:

**\*b0454/1.9\*** “(9u) DANE COUNTY EARLY CHILDHOOD INITIATIVES. From the appropriation account under section 20.437 (1) (bc) of the statutes, as affected by section 342 of this act, the department of children and families shall distribute \$250,000 in fiscal year 2008–09 for comprehensive early childhood initiatives in Dane County that provide home visiting and employment preparation and support for low–income families.”.

**\*b0319/1.1\* 685.** Page 1645, line 16: after that line insert:

**\*b0319/1.1\*** “(1c) PETROLEUM INSPECTION FUND TRANSFER, 2008–09. There is transferred from the petroleum inspection fund to the general fund \$14,576,500 in fiscal year 2008–09.”.

**\*b0382/3.31\* 686.** Page 1647, line 9: after that line insert:

**\*b0382/3.31\*** “(1q) COUNCIL ON DEVELOPMENTAL DISABILITIES. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health and family services under section 20.435 (6) (m) of the statutes, as affected by the acts of 2007, the dollar amount is decreased by \$728,200 for fiscal year 2007–08 to decrease the authorized FTE positions for the department by 7.75 FED positions for the council on developmental disabilities.”.

**\*b0331/3.22\* 687.** Page 1652, line 6: after “RECYCLING” insert “AND RENEWABLE ENERGY”.

**\*b0331/3.23\* 688.** Page 1652, line 6: after “recycling” insert “and renewable energy”.

**\*b0480/3.19\* 689.** Page 1652, line 21: delete “\$3,833,000” and substitute “\$2,920,600”.

**\*b0480/3.20\* 690.** Page 1652, line 22: delete “\$1,917,200” and substitute “\$982,100”.

**\*b0382/3.32\* 691.** Page 1654, line 8: after that line insert:

**\*b0382/3.32\*** “(1q) COUNCIL ON DEVELOPMENTAL DISABILITIES. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of children and families under section 20.437 (3) (mg) of the statutes, as affected by the acts of 2007, the dollar amount is decreased by \$724,600 for fiscal year 2008–09 to

decrease the authorized FTE positions for the department by 7.75 FED positions for the council on developmental disabilities.”.

**\*b0404/1.4\* 692.** Page 1656, line 8: after that line insert:

**\*b0404/1.4\*** “(1f) DISPUTE RESOLUTION; FIRE FIGHTERS AND LAW ENFORCEMENT OFFICERS. The treatment of section 111.70 (4) (c) 2. b. and (mc) of the statutes first applies to fire fighters and law enforcement personnel who are affected by a collective bargaining agreement that contains provisions that are inconsistent with that treatment on the day on which the agreement expires, or is extended, modified, or renewed, whichever occurs first.”.

**\*b0475/2.2\* 693.** Page 1656, line 8: after that line insert:

**\*b0475/2.2\*** “(2i) DOMESTIC PARTNER BENEFITS. The treatment of section 40.02 (21c) and (21d) of the statutes, the renumbering and amendment of section 40.02 (20) of the statutes, and the creation of section 40.02 (20) (b) and (bt) of the statutes first apply to coverage under group insurance plans offered by the group insurance board on January 1, 2009.”.

**\*b0371/1.4\* 694.** Page 1656, line 10: after that line insert:

**\*b0371/1.4\*** “(1k) QUALIFIED ECONOMIC OFFERS. The treatment of section 111.70 (1) (b), (dm), (fm), and (nc) and (4) (cm) 5s., 6. a. and am., 8m. a., b., and c., 8p., and 8s., (cn), and (d) 2. a. of the statutes first applies to petitions for arbitration that relate to collective bargaining agreements that cover periods beginning on or after July 1, 2007, and that are filed under section 111.70 (4) (cm) 6. of the statutes, as affected by this act, on the effective date of this subsection.”.

**\*b0339/1.6\* 695.** Page 1660, line 15: delete lines 15 to 17 and substitute:



**\*b0339/1.6\*** “(2c) REVENUE LIMIT; DECLINING ENROLLMENT. The treatment of section 121.91 (4) (f) 1m. b. and c. of the statutes, the renumbering and amendment of section 121.91 (4) (f) 1. of the statutes, and the creation of section 121.91 (4) (f) 1. a. to c. and 1m. d. of the statutes first apply to the calculation of a school district’s revenue limit for the 2007–08 school year.”.

**\*b0337/1.6\* 696.** Page 1660, line 24: delete “2008–09” and substitute “2007–08”.

**\*b0474/1.3\* 697.** Page 1661, line 4: delete lines 4 to 7.

**\*b0338/1.3\* 698.** Page 1661, line 7: after that line insert:

**\*b0338/1.3\*** “(8f) SCHOOL NURSES; REVENUE LIMIT ADJUSTMENT. The treatment of section 121.91 (4) (n) of the statutes first applies to the calculation of a school district’s revenue limit for the 2007–08 school year.”.

**\*b0510/4.4\* 699.** Page 1661, line 23: after that line insert:

**\*b0510/4.4\*** “(3i) COMBINED REPORTING. The treatment of sections 71.22 (9), 71.255, and 71.26 (3) (x) of the statutes first applies to taxable years beginning on January 1, 2008.”.

**\*b0343/1.10\* 700.** Page 1662, line 2: after that line insert:

“(5t) REAL ESTATE INVESTMENT TRUST; REGULATED INVESTMENT COMPANY. The treatment of section 71.26 (2) (b) of the statutes first applies to taxable years beginning on July 1, 2007.”.

**\*b0348/3.14\* 701.** Page 1662, line 18: after that line insert:

**\*b0348/3.14\*** “(7p) RETAIL SALES. The renumbering and amendment of section 77.51 (17) of the statutes, the amendment of sections 77.51 (4) (c) 1., 77.51 (12) (a), 77.982 (2), 77.991 (2), 77.9951 (2), and 77.9972 (2) of the statutes and the creation

of sections 77.51 (13) (p), 77.51 (14) (m), 77.51 (14) (n), 77.51 (17) (a) to (e), 77.52 (1b), 77.52 (2n), and 77.53 (1b) of the statutes first apply retroactively to sales made on January 1, 2006.”.

**\*b0378/3.7\* 702.** Page 1663, line 7: after that line insert:

**\*b0378/3.7\*** “(10t) WASTE TREATMENT FACILITY. The renumbering and amendment of section 70.11 (21) (a) of the statutes, the amendment of sections 74.35 (2m) and 74.35 (5) (d) of the statutes, and the creation of 70.11 (21) (ab) of the statutes first apply retroactively to the property tax assessments as of January 1, 2007.”.

**\*b0503/4.13\* 703.** Page 1663, line 14: after that line insert:

**\*b0503/4.13\*** “(11q) EXEMPTION OF INCENTIVE PAYMENTS; ALL-TERRAIN VEHICLES. The treatment of sections 39.12 (5), 71.43 (1) and (2), 185.81, and 616.10 of the statutes and the renumbering and amendment of section 71.45 (1) of the statutes first apply to taxable years beginning on January 1, 2007.”.

**\*b0360/2.7\* 704.** Page 1664, line 1: delete lines 1 and 2 and substitute “the sales of motor vehicle fuel on October 1, 2007.”.

**\*b0345/1.2\* 705.** Page 1664, line 2: after that line insert:

**\*b0345/1.2\*** “(15i) AUTOMATIC TELLER MACHINES. The treatment of section 70.11 (39) of the statutes first applies to the property tax assessments as of January 1, 2008.”.

**\*b0346/1.2\* 706.** Page 1664, line 2: after that line insert:

**\*b0346/1.2\*** “(15j) AGRICULTURAL LAND. The treatment of section 70.32 (2) (c) 1g. of the statutes first applies to the property tax assessments as of January 1, 2008.”.

**\*b0505/2.3\* 707.** Page 1664, line 3: delete lines 3 to 5.

**\*b0522/1.15\* 708.** Page 1665, line 18: delete the material beginning with that line and ending with page 1666, line 8.

**\*b0436/3.7\* 709.** Page 1666, line 20: delete “(b) and (bm)” and substitute “(b), (bg), and (bm)”.

**\*b0404/1.5\* 710.** Page 1667, line 10: after “FIGHTERS” insert “, LAW ENFORCEMENT OFFICERS”.

**\*b0404/1.6\* 711.** Page 1667, line 11: delete “fire fighter” and substitute “person”.

**\*b0472/1.1\* 712.** Page 1671, line 13: after “CONTRIBUTION” insert “AND FUNCTIONAL ELIGIBILITY”.

**\*b0472/1.2\* 713.** Page 1671, line 13: after “46.281 (4),” insert “46.286 (1) (a) 1.,”.

**\*b0446/1.4\* 714.** Page 1671, line 15: after that line insert:

**\*b0446/1.4\*** “(8x) NURSING HOME BED ASSESSMENT. The treatment of section 50.14 (2) (am) of the statutes takes effect on January 1, 2008.”.

**\*b0387/3.6\* 715.** Page 1673, line 2: delete lines 2 and 3.

**\*b0503/4.14\* 716.** Page 1673, line 5: after that line insert:

**\*b0503/4.14\*** “(3q) LANDOWNER INCENTIVE PROGRAM. The treatment of sections 20.370 (1) (ms), (cu) (by SECTION 282m), and (cv), and 23.33 (2j) (c) of the statutes takes effect on July 1, 2008.”.

**\*b0403/1.5\* 717.** Page 1673, line 18: after that line insert:

**\*b0403/1.5\*** “(2f) AID FOR HIGH POVERTY SCHOOL DISTRICTS. The repeal and recreation of section 20.255 (2) (bb) of the statutes takes effect on July 1, 2008.”.

**\*b0494/1.7\* 718.** Page 1673, line 22: delete lines 22 to 25.

**\*b0480/3.21\* 719.** Page 1673, line 25: after that line insert:

**\*b0480/3.21\*** “(2t) CHANGE OF FEE DETERMINATION METHOD FOR INITIAL CREDENTIALS, RECIPROCAL CREDENTIALS, AND RENEWAL OF CREDENTIALS. The treatment of sections 440.03 (14) (a) 1. c., 2. c., and 3. c., 440.03 (14) (am) and (c), 440.05 (1) (a), 440.05 (2), 440.08 (2) (a) (intro.), 1. to 27m., 29. to 71., and 72. (by SECTION 3465s) and (c) and (3) (a), 440.26 (3) and (5m) (a) 4. and (b), 440.42 (1) (c), 440.43 (1) (c), 440.44 (1) (c), 440.62 (2) (a), 440.63 (2), 440.71 (2) (a) and (3), 440.88 (4), 440.91 (1) (b) 2. and (c) 1., (2) (intro.), and (4), 440.92 (1) (b) 2. and (c), 440.966 (1), 440.972 (2), 440.98 (6), 440.982 (1m) (b), 440.983 (1), 440.992 (1), 440.9935, 441.06 (3), 441.10 (3) (b), 441.15 (3) (a) 2. and (b) (by SECTION 3503b), 442.08 (1) and (2) (intro.), 442.083, 442.09, 443.07 (6), 443.08 (3) (a) and (b), 443.10 (2) (b) and (e) and (5), 445.04 (2), 445.06, 445.105 (3), 446.02 (4), 447.05, 448.07 (2), 448.55 (2), 448.65 (2) (a), 448.86 (2), 448.955 (2) (intro.), 448.967 (2), 449.06 (1), 450.06 (2) (c), 450.065 (2) (d), 450.07 (1), 450.071 (3) (a) (by SECTION 3530eg), 450.08 (2) (a) and (b), 451.04 (4), 452.025 (1) (c) and (5) (b), 452.10 (3), 452.12 (2) (c), (5) (a) and (6), (e) 1. and 2., 453.062 (1), 454.06 (1) (a) and (8), 454.08 (3) and (9), 455.06, 455.07 (2), 456.07 (2), 457.20 (3) (a), 458.11, 459.09 (1) (a), 459.24 (5) (a), 460.07 (2) (a), 470.045 (3) (a), 470.045 (3) (b), 470.07 and 480.08 (3) (b) and (5) of the statutes takes effect on July 1, 2009.”.

**\*b0378/3.8\* 720.** Page 1674, line 15: after that line insert:

**\*b0378/3.8\*** “(3t) WASTE TREATMENT FACILITY; SALES TAX EXEMPTION. The treatment of section 77.54 (26) (by SECTION 2386b) of the statutes takes effect on the first day of the 2nd month beginning after publication.”.

**\*b0348/3.15\* 721.** Page 1675, line 4: delete “77.51 (12) (a).”.

**\*b0348/3.16\* 722.** Page 1675, line 10: after “(17)” insert “(intro.)”.

**\*b0378/3.9\* 723.** Page 1675, line 19: after “(26)” insert “(by SECTION 2386c)”.

**\*b0348/3.17\* 724.** Page 1676, line 2: delete “77.982”.

**\*b0348/3.18\* 725.** Page 1676, line 3: delete “(2), 77.99, 77.991 (2),” and substitute “77.99,”.

**\*b0348/3.19\* 726.** Page 1676, line 3: delete “77.9951 (2),”.

**\*b0348/3.20\* 727.** Page 1676, line 3: delete “77.9972”.

**\*b0348/3.21\* 728.** Page 1676, line 4: delete “(2), 86.195” and substitute “86.195”.

**\*b0348/3.22\* 729.** Page 1676, line 5: delete that line and substitute “the repeal and recreation of sections 77.51 (7), 77.51 (12) (a), 77.51 (17m), 77.52 (1b), 77.52 (2n), 77.53 (1b), 77.63, 77.982 (2), 77.991 (2), 77.995 (2), 77.9951 (2), and 77.9972 (2) of”.

**\*b0348/3.23\* 730.** Page 1676, line 22: after that line insert:

**\*b0348/3.23\*** “(4q) RETAIL SALES. The renumbering and amendment of section 77.51 (17) of the statutes, the amendment of sections 77.51 (4) (c) 1., 77.51 (12) (a), 77.982 (2), 77.991 (2), 77.9951 (2), and 77.9972 (2) of the statutes and the creation of sections 77.51 (13) (p), 77.51 (14) (m), 77.51 (14) (n), 77.51 (17) (a) to (e), 77.52 (1b), 77.52 (2n), and 77.53 (1b) of the statutes take effect retroactively to January 1, 2006.”.

**\*b0378/3.10\* 731.** Page 1677, line 11: after that line insert:

**\*b0378/3.10\*** “(9t) WASTE TREATMENT FACILITY. The renumbering and amendment of section 70.11 (21) (a) of the statutes, the amendment of sections 74.35

(2m) and 74.35 (5) (d) of the statutes, and the creation of 70.11 (21) (ab) of the statutes take effect retroactively on January 1, 2007.”.

**\*b0505/2.4\* 732.** Page 1677, line 17: delete lines 17 and 18.

**\*b0323/1.3\* 733.** Page 1679, line 8: after “ (c)” insert “, (cm), (d), (e), (f), (g), (h), (i), (j), (k), (km), (L), (m), (n), (o), (p), and (q)”.

**\*b0323/1.2\* 734.** Page 1679, line 8: delete “and”.

**\*b0513/1.7\* 735.** Page 1680, line 23: after that line insert:

**\*b0513/1.7\*** “(4f) WISCONSIN WORKS GRANTS FOR PREGNANT WOMEN. The treatment of sections 49.148 (1m) (title), (b), and (c) (intro.) and 3. and 49.159 (4) of the statutes, the renumbering and amendment of section 49.148 (1m) (a) of the statutes, and the creation of section 49.148 (1m) (a) (intro.) and 2. of the statutes take effect on January 1, 2008.”.

**\*b0369/1.10\* 736.** Page 1680, line 25: after that line insert:

**\*b0369/1.10\*** “(6k) REGULATION OF TRAVELING SALES CREWS. The treatment of sections 21.72 (1) (a) 10., 49.857 (1) (d) 10., 60.33 (8p), 61.25 (6p), 62.09 (11) (kp), 73.0301 (1) (d) 3m., 103.005 (10), 103.34, and 111.322 (2m) (a) and (b) of the statutes takes effect on the first day of the 12th month beginning after publication.”.

**\*b0373/P3.12\* 737.** Page 1681, line 1: after that line insert:

**\*b0373/P3.12\*** “(1i) TRANSFER OF ATTORNEY POSITIONS. The treatment of sections 15.04 (4), 15.103 (1g), 16.004 (15), 20.505 (1) (kr), 73.01 (4) (b) and (4m) (b) and (c), 85.013 (2) (a), and 343.33 (2) of the statutes and SECTION 9155 (3i) of this act take effect on July 1, 2008.”.

**\*b0382/3.33\* 738.** Page 1682, line 16: delete “15.197 (11n)”.

**\*b0471/5.62\* 739.** Page 1688, line 13: after that line insert:

**\*b0471/5.62\*** “(4c) HEALTHY WISCONSIN PLAN. The treatment of sections 13.94 (1) (dj) and (1s) (c) 5., 16.004 (7d) and (7h), 40.05 (4) (a) 4., (ag) (intro.), (ar), (b), and (be) and (4g) (d), 40.51 (1), (2), (7), (8), and (8m), 40.52 (1) (intro.), (1m), and (2), 40.98 (2) (a) 1., 49.473 (2) (c), 49.665 (5) (ag), 49.68 (3) (d) 1., 49.683 (3), 49.685 (6) (b), 49.687 (1m) (d), 59.52 (11) (c), 60.23 (25), 66.0137 (4), (4m) (b), and (5), 109.075 (9), 111.70 (1) (dm) and (4) (cm) 8s., 111.91 (2) (pt), 120.13 (2) (b) and (g), 149.12 (2) (em), 609.01 (7), 609.10, 609.20 (1m) (c) and (d), 628.36 (4) (a) (intro.) and (b) 1., 2., and 3., 632.87 (5), and 632.895 (8) (f) 4., (9) (d) 4., (10) (a) and (b) 6., (11) (a) (intro.), (c) 1., (d), and (e) 3., and (14) (b) and (d) 7. of the statutes, the renumbering and amendment of sections 40.51 (6) and 62.61 of the statutes, and the creation of sections 40.51 (6) (b) and 62.61 (1) (b) of the statutes take effect on January 1, 2009.”.

**\*b0350/1.54\* 740.** Page 1688, line 15: after that line insert:

**\*b0350/1.54\*** “(5t) APPROPRIATION CONVERSIONS. The treatment of sections 38.28 (3) (by SECTION 742b), 38.29 (2) (c) (by SECTION 743b), 84.28 (1) (by SECTION 2535b), 146.55 (4) (a) (by SECTION 2868b), 146.55 (5) (a) (by SECTION 2869b), 146.58 (8) (by SECTION 2870b), 166.03 (2) (a) 5. (by SECTION 2910b), 166.215 (1) (by SECTION 2911b), 166.215 (2) (by SECTION 2912b), and 166.22 (3m) (by SECTION 2913b) of the statutes, the repeal of sections 20.292 (1) (r), (u), and (v), 20.370 (2) (cq), (3) (ay), and (7) (mr), 20.435 (5) (rb), 20.445 (1) (uz), 20.465 (3) (u), (v), (w), (x), and (y), and 25.40 (2) (b) 10., 11., 12., 13., 14., 15., 20c., 20e., 20g., 20i., 20k., 20m., and 20o. of the statutes, and the creation of sections 20.292 (1) (fc), (fg), and (fp), 20.370 (2) (cf), (3) (ad), and (7) (mc), 20.435 (5) (ch), 20.445 (1) (fg), and 20.465 (3) (dd), (dp), (dr), (dt), and (f) of the statutes take effect on July 1, 2008.”.

**\*b0454/1.10\* 741.** Page 1688, line 15: after that line insert:

**\*b0454/1.10\*** “(9u) DANE COUNTY EARLY CHILDHOOD INITIATIVES. The amendment of section 20.437 (1) (bc) of the statutes takes effect on July 1, 2009.”.

**\*b0476/1.19\* 742.** Page 1688, line 15: after that line insert:

**\*b0476/1.19\*** “(5u) APPROPRIATION CONVERSIONS. The treatment of sections 13.101 (6) (a) (by SECTION 4d), 118.51 (14) (b) (by SECTION 2730d), 118.52 (11) (b) (by SECTION 2731d), 118.55 (7g) (by SECTION 2732d), 121.007 (by SECTION 2740d), 121.575 (3) (by SECTION 2747d), and 121.58 (6) (by SECTION 2749d) of the statutes, the repeal of sections 20.255 (2) (vr), (vw), and (vy) and 25.40 (2) (b) 5., 6., and 7. of the statutes, and the creation of sections 20.255 (2) (cr), (cw), and (cy) of the statutes take effect on July 1, 2008.”.

**\*b0511/2.15\* 743.** Page 1688, line 15: after that line insert:

**\*b0511/2.15\*** “(5f) SUPPLEMENTAL TITLE FEE TRANSFER AND GENERAL FUND DEBT SERVICE. The treatment of sections 20.395 (6) (af) (by SECTION 310c), 20.866 (1) (u) (by SECTION 583c), 25.46 (1m) (by SECTION 689c), and 85.037 (by SECTION 2542c) of the statutes and the repeal of sections 20.395 (6) (bq), 20.855 (4) (rm), and 25.40 (2) (b) 23m. of the statutes take effect on July 1, 2008.”.

(END)