A

State of Wisconsin
2007 - 2008 LEGISLATURE

October 2007 Special Session

LRBb1274/P2
ALL:all:all

Legislative Reference Bureau:..... Superamendment for conference substitute amendment for budget

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

SENATE AMENDMENT ,

TO SENATE BILL 1

At the locations indicated, amend the bill as follows:

1. Page 6, line 15: delete lines 15 to 18.

2. Page 23, line 12: delete "~~parole~~ earned release review" and substitute "parole".

3. Page 23, line 15: delete "~~parole~~ earned release review" and substitute "parole".

4. Page 24, line 18: delete lines 18 to 22.

5. Page 26, line 10: delete lines 10 to 17.

6. Page 64, line 21: delete lines 21 to 23.

7. Page 283, line 8: delete "and (9i)" and substitute "(9i), and (10q)".

1 **8.** Page 288, line 3: after that line insert:

2 "**SECTION 212p.** 20.145 (2) (a) of the statutes is created to read:

3 20.145 **(2)** (a) *Supplement for claims payable.* A sum sufficient, not to exceed
4 $100,000,000, for paying any portion of a claim for damages arising out of the
5 rendering of health care services that the injured patients and families
6 compensation fund under s. 655.27 is required to pay under ch. 655 but that the
7 injured patients and families compensation fund is unable to pay because of
8 insufficient moneys.".

9 **9.** Page 288, line 16: after that line insert:

10 "**SECTION 217h.** 20.165 (1) (s) of the statutes is created to read:

11 20.165 **(1)** (s) *Wholesale drug distributor bonding.* As a continuing
12 appropriation, all moneys received under s. 450.071 (5) and deposited in the fund
13 created under s. 25.315, for securing payment of fees or costs that relate to the
14 issuance of a license to engage in the wholesale distribution of prescription drugs.".

15 **10.** Page 295, line 7: delete lines 7 to 11.

16 **11.** Page 324, line 13: delete lines 13 to 15.

17 **12.** Page 340, line 25: delete that line.

18 **13.** Page 342, line 2: after that line insert:

19 "**SECTION 392w.** 20.435 (4) (jz) of the statutes is amended to read:

20 20.435 **(4)** (jz) *Badger Care cost sharing ~~and~~, employer penalty assessments,*
21 *and premium subsidies.* All moneys received from payments under s. 49.665 (5), all
22 moneys transferred under s. 149.165 (4), and all moneys received from penalty
23 assessments under s. 49.665 (7) (b) 2. to be used for the Badger Care health care
24 program under s. 49.665 and for the demonstration project under s. 49.45 (23).".

1 **14.** Page 342, line 3: delete lines 3 to 10 and substitute:

2 "**SECTION 393.** 20.435 (4) (jz) of the statutes, as affected by 2007 Wisconsin Act
3 .... (this act), is amended to read:

4 20.435 **(4)** (jz) *Medical Assistance and Badger Care cost sharing, employer*
5 *penalty assessments, and premium subsidies.* All moneys received ~~from~~ in cost
6 sharing from medical assistance recipients, including payments under s. 49.665 (5),
7 all moneys transferred under s. 149.165 (4), ~~and~~ all moneys received from penalty
8 assessments under s. 49.665 (7) (b) 2., and 90 percent of all moneys received from
9 penalty assessments under s. 49.471 (9) (c) to be used for the Badger Care health care
10 program under s. 49.665 and for the ~~demonstration project under s. 49.45 (23)~~
11 Medical Assistance program under subch. IV of ch. 49.".

12 **15.** Page 342, line 25: delete the material beginning with that line and ending
13 with page 343, line 13.

14 **16.** Page 349, line 20: delete the material beginning with that line and ending
15 with page 350, line 2.

16 **17.** Page 371, line 9: delete lines 9 to 13.

17 **18.** Page 383, line 17: delete lines 17 to 21.

18 **19.** Page 387, line 4: delete lines 4 to 8.

19 **20.** Page 390, line 3: substitute "$1,422,000,000" for "$1,622,000,000".

20 **21.** Page 390, line 8: substitute "$85,000,000" for "$105,000,000".

21 **22.** Page 403, line 18: delete lines 18 and 19.

22 **23.** Page 415, line 18: after that line insert:

23 "**SECTION 638mg.** 23.0916 of the statutes is created to read:

23.0916 Stewardship land access. (1) DEFINITIONS. In this section:

(a) "Former managed forest land" means land that was withdrawn from the managed forest land program under subch. VI of ch. 77 on or after the effective date of this paragraph .... [revisor inserts date].

(b) "Nature-based outdoor activity" means hunting, fishing, trapping, hiking, cross-country skiing, and any other nature-based outdoor activity designated by rule by the department for purposes of this section.

(c) "Stewardship grant" means a grant that consists in whole or in part of funding from the stewardship program under s. 23.0917.

(2) REQUIREMENT OF ACCESS; NONDEPARTMENT LAND. (a) Except as provided in par. (b) and sub. (4), any person receiving a stewardship grant on or after the effective date of this paragraph .... [revisor inserts date], that will be used to acquire land in fee simple or to acquire an easement on former managed forest land shall permit public access to the land for nature-based outdoor activities.

(b) The person receiving the stewardship grant may prohibit public access for one or more nature-based outdoor activities, if the natural resources board determines that it is necessary to do so in order to do any of the following:

1. Protect public safety.

2. Protect a unique animal or plant community.

3. Accommodate usership patterns, as defined by rule by the department.

(3) REQUIREMENT OF ACCESS; DEPARTMENT LAND. (a) Except as provided in par. (b) and sub. (4) and ss. 29.089, 29.091, 29.301 (1) (b), and 29.621 (4), the department shall permit public access for nature-based outdoor activities by others on land that is acquired by the department in fee simple or is an easement acquired by the department on former managed forest land.

(b) The department may prohibit public access for one or more nature-based outdoor activities if the natural resources board determines that it is necessary to do so in order to do any of the following:

1. Protect public safety.

2. Protect a unique animal or plant community.

3. Accommodate usership patterns, as defined by rule by the department.

(4) FISH AND GAME REFUGES. The department or an owner of land that is in a fish or game refuge and that is subject to sub. (2) (a) or (3) (a) may prohibit hunting, fishing, or trapping, or any combination thereof.

(5) RULES. The natural resources board, by rule, shall develop all of the following:

(a) Provisions relating to public access for nature-based outdoor activities for all lands other than those subject to sub. (2) (a) or (3) (a) that are acquired in whole or in part with funding from the stewardship programs under ss. 23.0915 and 23.0917.

(b) A process for the review of determinations made under subs. (2) (b) and (3) (b).

(6) REPORTING REQUIREMENT. The department shall prepare an annual report that identifies all land subject to this section that has been acquired during each fiscal year and upon which public access for any nature-based outdoor activity is prohibited. For each acquisition, the report shall specify for which of these nature-based outdoor activities public access is prohibited and shall include the reason for the prohibition. The department shall submit the report to the joint committee on finance and to the appropriate standing committees of the legislature in the manner provided under s. 13.172 (3). The department shall submit the report

1 no later than November 15 for the preceding fiscal year and shall submit the first
2 report no later than November 15, 2008.

3 **SECTION 638mj.** 23.09165 of the statutes is created to read:

4 **23.09165 Stewardship programs information and public access notice.**
5 **(1)** DEFINITIONS. In this section:

6 (a) "Department land" has the meaning given in s. 23.0917 (1) (c).

7 (b) "Land" has the meaning given in s. 23.0917 (1) (d).

8 (c) "Nonprofit conservation organization" has the meaning given in s. 23.0955
9 (1).

10 (d) "Stewardship land" means land that is acquired in whole or in part with
11 funding from one or both stewardship programs.

12 (e) "Stewardship program" means the stewardship program under s. 23.0915
13 or 23.0917.

14 **(2)** LAND MAPPING AND DIRECTORY. (a) Within 48 months after the effective date
15 of this paragraph .... [revisor inserts date], the department shall establish and
16 maintain an interactive mapping tool at the department's Web site that identifies all
17 stewardship land that is open for public access. Public access to the mapping tool at
18 the Web site shall be available without charge.

19 (b) Within 48 months after the effective date of this paragraph .... [revisor
20 inserts date], the department shall make available a directory of all stewardship
21 land that is open for public access. The directory shall be organized by county and
22 town and shall clearly show the location of the stewardship land and named or
23 numbered roads. The directory shall be updated at least every 2 years. The
24 department may charge a fee for the directory, but the fee may not exceed the cost
25 of the publication of the directory. In lieu of the department preparing and making

available a directory, the department may provide to the public at the department's cost, a map, book, or directory that meets the requirements of this subsection and that is published by a private entity.

(3) NOTICE OF ACCESS TO STEWARDSHIP LAND. (a) An owner of stewardship land acquired on or after the effective date of this paragraph .... [revisor inserts date], shall, within 6 months after the disbursement of the stewardship program funds, provide notice of public access to the stewardship land by the placement of signs adequate to give notice. The owner of stewardship land acquired before the effective date of this paragraph .... [revisor inserts date], shall provide notice of public access to the stewardship land by the placement of signs adequate to give notice within 48 months after the effective date of this paragraph .... [revisor inserts date]. The area of each sign shall be at least 108 square inches, and each sign shall be made of a durable substance. The signs shall be placed at major access points to the stewardship land.

(b) If the stewardship land that is acquired on or after the effective date of this paragraph .... [revisor inserts date], is surrounded by department land, the department shall, within 6 months after the disbursement of stewardship program funds, provide notice of public access to the stewardship land by the placement of signs adequate to give notice at the major access points to the department land. If the stewardship land that is acquired before the effective date of this paragraph .... [revisor inserts date], is surrounded by department land, the department shall provide notice of public access to the stewardship land by the placement of signs adequate to give notice at the major access points to the department land within 48 months after the effective date of this paragraph .... [revisor inserts date]. The area

of each sign shall be at least 108 square inches, and each sign shall be made of a durable substance.

(c) The signs required under pars. (a) and (b) shall list either the primary activities that are restricted or prohibited on the stewardship land or the primary activities that are permitted on the stewardship land. The signs shall include either the name of the owner of the stewardship land or a person to contact regarding the stewardship land. Signs shall also be placed at the specified major access points that give notice that the stewardship land was acquired in whole or in part using stewardship program funds. The department may specify the amount of detail that is required on the signs to assure that the signs provide sufficient and useful information.

(d) If the stewardship land described under par. (a) or (b) has a cumulative acreage of 10 acres or more, the signs under par. (a) or (b) shall also include one of the following:

1. The postal address or telephone number of the owner of the stewardship land.

2. The postal address or telephone number of a person to contact regarding the stewardship land.

3. An Internet Web site address where a person can locate the information listed in subd. 1. or 2.

(e) Within 48 months after the effective date of this paragraph .... [revisor inserts date], the department shall provide a list of all stewardship land that was acquired before the effective date of this paragraph .... [revisor inserts date], and for which public access has been restricted or prohibited and the reasons for that action.

(f) If an owner of any stewardship land fails to comply with the requirements of par. (a), that person is not eligible for any subprogram or grant or other state aid under the stewardship programs until the department determines that the person is in compliance with par. (a).

(g) If the department is notified that a sign required under par. (a) or (b) needs replacing, within 28 days after receiving that notification the department shall determine if the sign needs to be replaced. The department shall replace any sign required under par. (b) within 28 days after determining that the sign needs to be replaced. Within 7 days after determining that a sign required under par. (a) needs to be replaced, the department shall notify the owner of that determination. The owner of stewardship land that placed signs as required under par. (a) shall be ineligible for any subprogram or grant or other state aid under the stewardship programs if the sign is not replaced within 3 months after receiving the notice.

(h) If the department authorizes a nonprofit conservation organization to charge a fee for hunting on stewardship land, the fee for the hunting season may not exceed the sum of the fee for a daily resident vehicle admission receipt under s. 27.01 (7) (f) 2. and the issuing fee for a daily vehicle admission receipt under s. 27.01 (7) (gr).

(4) CONTACT INFORMATION. An owner of stewardship land shall provide information requested by the department that will enable the department to contact that owner.

(5) APPLICABILITY. This section does not apply to the following stewardship land:

(a) Easements used for trails.

(b) Easements for which the primary purpose of the easement is not public access.

(c) Land acquired or managed under s. 23.17.".

24. Page 416, line 12: substitute "$12,000,000" for "$14,500,000".

25. Page 416, line 23: substitute "$61,000,000" for "$76,500,000".

26. Page 417, line 10: delete "~~2009-10~~ 2006-07" and substitute "2009-10".

27. Page 417, line 12: delete "2007-08" and substitute "2010-11".

28. Page 417, line 13: substitute "$21,500,000" for "$26,000,000".

29. Page 417, line 21: substitute "$11,500,000" for "$14,000,000".

30. Page 418, line 9: after that line insert:

"**SECTION 646r.** 23.0917 (5m) (a) of the statutes is amended to read:

23.0917 **(5m)** (a) Beginning in fiscal year 1999-2000, the department, subject to the approval of the governor and the joint committee on finance under sub. ~~(6)~~ (6m), may obligate under the subprogram for land acquisition any amount not in excess of the total bonding authority for that subprogram for the acquisition of land.

SECTION 646t. 23.0917 (6m) of the statutes is created to read:

23.0917 **(6m)** REVIEW BY JOINT COMMITTEE ON FINANCE. (a) The department may not obligate from the appropriation under s. 20.866 (2) (ta) for a given project or activity any moneys unless it first notifies the joint committee on finance in writing of the proposal. The committee may schedule a meeting to review the department's proposal only if at least 3 members of the committee object to the proposal in writing. If the cochairpersons of the committee do not notify the department within 14 working days after the date of the department's notification that the committee has scheduled a meeting to review the proposal, the department may obligate the

1 moneys. If, within 14 working days after the date of the notification by the
2 department, the cochairpersons of the committee notify the department that the
3 committee has scheduled a meeting to review the proposal, the department may
4 obligate the moneys only upon approval of the committee unless par. (b) applies.

5 (b) If the committee does not hold the meeting to review the department's
6 proposal within the time specified in par. (bg), the department may obligate the
7 moneys.

8 (bg) 1. Except as provided in subd. 2., the committee shall hold a meeting to
9 review the department's proposal within 16 working days after the cochairpersons
10 notify the department that a meeting has been scheduled.

11 2. The committee shall hold a meeting to review the department's proposal
12 within 31 working days after the cochairpersons notify the department that a
13 meeting has been scheduled if the notification is made after the last day of the
14 legislature's final general–business floorperiod but before the convening of the next
15 legislature on the day specified under s. 13.02 (1).

16 (c) The procedures under pars. (a) and (b) apply only to an amount for a project
17 or activity that exceeds $750,000, except as provided in pars. (d) and (dm).

18 (d) The procedures under pars. (a) and (b) apply to any land acquisition under
19 sub. (5m).

20 (dm) The procedures under pars. (a) and (b) apply to an amount for a project
21 or activity that is less than or equal to $750,000 if all of the following apply:

22 1. The project or activity is so closely related to one or more other department
23 projects or activities for which the department has proposed to obligate or has
24 obligated moneys under s. 20.866 (2) (ta) that the projects or activities, if combined,
25 would constitute a larger project or activity that exceeds $750,000.

2. The project or activity was separated from a larger project or activity by the department primarily to avoid the procedures under pars. (a) and (b).

(e) This subsection does not apply to moneys obligated for the purpose of property development as described under sub. (4) or to moneys obligated for land acquired by the department under s. 24.59 (1).".

31. Page 418, line 16: after that line insert:

"**SECTION 647m.** 23.0917 (7) (e) of the statutes is renumbered 23.0917 (7) (e) 1. and amended to read:

23.0917 **(7)** (e) 1. For any land for which moneys are proposed to be obligated from the appropriation under s. 20.866 (2) (ta) in order to provide a grant or state aid to a governmental unit under s. 23.09 (19), (20), or (20m) or 30.277 or to a nonprofit conservation organization under s. 23.096, the department shall use at least 2 appraisals to determine the fair market value of the land. The governmental unit or nonprofit conservation organization shall submit to the department one appraisal that is paid for by the governmental unit or nonprofit conservation organization. The department shall obtain its own independent appraisal. The department may also require that the governmental unit or nonprofit conservation organization submit a 3rd independent appraisal. The department shall reimburse the governmental unit or nonprofit conservation organization up to 50% of the costs of the 3rd appraisal as part of the acquisition costs of the land if the land is acquired by the governmental unit or nonprofit conservation organization with moneys obligated from the appropriation under s. 20.866 (2) (ta). ~~This paragraph~~

2. Subdivision 1. does not apply if the fair market value of the land is estimated by the department to be ~~$200,000~~ $350,000 or less.

1 **SECTION 647r.** 23.0917 (8) (e) of the statutes is created to read:

2 23.0917 **(8)** (e) Beginning with fiscal year 2007–08, the department may not
3 obligate from the appropriation under s. 20.866 (2) (ta) more than 20 percent of the
4 available bonding authority in a fiscal year for the acquisition of parcels of lands that
5 are less than 10 acres in size.".

6 **32.** Page 420, line 1: delete lines 1 to 6 and substitute:

7 "**(2)** (a) Beginning with fiscal year 2010–11 and ending with fiscal year
8 2019–20, the department shall establish a grant program under which the
9 department may award a grant to a county for any of the following:

10 1. Acquisition of land for a county forest under s. 28.11.

11 2. Acquisition of land for a project that promotes nature–based outdoor
12 recreation or conservation and for which the department is requesting the county's
13 assistance.

14 (b) Grants under this section shall be awarded from the appropriation under
15 s. 20.866 (2) (ta), and, for purposes of s. 23.0917, shall be treated as moneys obligated
16 from the subprogram under s. 23.0917 (3).".

17 **33.** Page 420, line 9: delete lines 9 to 12 and substitute:

18 "**(4)** A county may not convert the land, or any rights in the land, acquired with
19 grant moneys awarded under sub. (2) (a) 2. to a use that is inconsistent with the type
20 of nature–based outdoor recreation or conservation activity for which the grant was
21 awarded unless the natural resources board approves the conversion.".

22 **34.** Page 433, line 21: delete lines 21 and 22.

23 **35.** Page 433, line 24: after that line insert:

24 "**SECTION 678t.** 25.17 (1) (yn) of the statutes is created to read:

1 25.17 **(1)** (yn) Wholesale drug distributor bonding fund (s. 25.315);".

2 **36.** Page 434, line 25: after that line insert:

3 "**SECTION 686r.** 25.315 of the statutes is created to read:

4 **25.315 Wholesale drug distributor bonding fund.** There is established a
5 separate nonlapsible trust fund designated as the wholesale drug distributor
6 bonding fund to consist of moneys paid to the state under s. 450.071 (5) to secure
7 payment of fees or costs that relate to the issuance of a license to engage in the
8 wholesale distribution of prescription drugs.".

9 **37.** Page 435, line 1: delete lines 1 to 3.

10 **38.** Page 437, line 6: delete lines 6 to 9.

11 **39.** Page 445, line 2: after that line insert:

12 "**SECTION 713d.** 29.541 (1) (a) (intro.) of the statutes is amended to read:

13 29.541 **(1)** (a) (intro.) Except as authorized under s. 29.934 (2) <u>or 254.715</u>, no
14 innkeeper, manager or steward of any restaurant, club, hotel, boarding house,
15 tavern, logging camp or mining camp may sell, barter, serve or give, or cause to be
16 sold, bartered, served or given, to its guests or boarders any of the following:".

17 **40.** Page 459, line 10: delete lines 10 to 21.

18 **41.** Page 469, line 2: after that line insert:

19 "**SECTION 737m.** 38.17 of the statutes is created to read:

20 **38.17 Levy limit. (1)** DEFINITION. In this section, "debt service" includes debt
21 service on debt issued or reissued to fund or refund outstanding municipal
22 obligations, interest on outstanding municipal obligations, and related issuance
23 costs and redemption premiums.

1 **(2)** LIMIT. Except as provided in subs. (3) and (4), no district board may levy in
2 2007 or 2008 more than it levied in the previous year increased by 4 percent.
3 **(3)** ADJUSTMENTS. (a) 1. If a district board transfers to another governmental
4 unit responsibility for providing any service that it provided in the preceding fiscal
5 year, the limit otherwise applicable under sub. (2) in the current fiscal year is
6 decreased by the cost that it would have incurred to provide that service, as
7 determined by the department of revenue.
8 2. If a district board increases the services that it provides by adding
9 responsibility for providing a service transferred to it from another governmental
10 unit that provided the service in the previous fiscal year, the limit otherwise
11 applicable under sub. (2) in the current fiscal year is increased by the cost of that
12 service, as determined by the department of revenue.
13 (b) The limit otherwise applicable under this section does not apply to amounts
14 levied by a district board for the payment of any general obligation debt service,
15 including debt service on debt issued or reissued to fund or refund outstanding
16 municipal obligations, interest on outstanding municipal obligations, or the
17 payment of related issuance costs or redemption premiums.
18 **(4)** REFERENDUM. (a) 1. A district board may exceed the levy limit under sub.
19 (2) if it adopts a resolution to that effect and the resolution is approved in a
20 referendum. The resolution shall specify the proposed amount of increase in the levy
21 beyond the amount that is allowed under sub. (2), and shall specify whether the
22 proposed amount of increase is for the next fiscal year only or if it will apply on an
23 ongoing basis.

2. Except as provided in subd. 3., the district board may call a special referendum for the purpose of submitting the resolution to the electors of the district for approval or rejection.

3. A referendum to exceed the limit under sub. (2) for the 2008 levy shall be held at the spring primary or election or September primary or general election in 2008.

(b) The district board shall publish type A, B, C, D, and E notices of the referendum under s. 10.01 (2). Section 5.01 (1) applies in the event of failure to comply with the notice requirements of this paragraph.

(c) The referendum shall be held in accordance with chs. 5 to 12. The district board shall provide the election officials with all necessary election supplies. The form of the ballot shall correspond substantially with the standard form for referendum ballots prescribed by the elections board under ss. 5.64 (2) and 7.08 (1) (a). The question shall be submitted as follows: "Under state law, the percentage increase in the levy of the .... (name of district) for the .... (next) fiscal year is limited to .... percent, resulting in a levy of $..... Shall the .... (name of district) be allowed to exceed this limit such that the percentage increase for the .... (next) fiscal year will be .... percent, resulting in a levy of $....?"

(d) Within 14 days after the referendum, the district board shall certify the results of the referendum to the department of revenue. The limit otherwise applicable to the district under sub. (2) is increased for the next fiscal year by the amount approved by a majority of those voting on the question. If the resolution specifies that the increase is for one year only, the amount of the increase shall be subtracted from the base used to calculate the limit for the 2nd succeeding fiscal year.

(5) PENALTY. The department of revenue shall notify the board of any amount levied by a district board that exceeds the district's limit under this section. The

board shall reduce the district's state aid under s. 38.28 in the same fiscal year in which the excess levy occurred by an amount equal to the amount of the excess levy. The amount of the reduction shall lapse to the general fund.

SECTION 737r. 38.17 of the statutes, as created by 2007 Wisconsin Act .... (this act), is repealed.".

42. Page 469, line 3: delete lines 3 to 13.

43. Page 469, line 14: delete lines 14 to 20.

44. Page 470, line 9: delete lines 9 to 12.

45. Page 470, line 17: delete lines 17 to 24.

46. Page 471, line 1: delete lines 1 to 4.

47. Page 480, line 16: delete lines 16 to 24.

48. Page 526, line 14: delete lines 14 to 23.

49. Page 527, line 7: delete lines 7 to 13.

50. Page 527, line 18: delete the material beginning with that line and ending with page 528, line 7.

51. Page 528, line 21: delete the material beginning with that line and ending with page 529, line 6.

52. Page 542, line 13: delete lines 13 to 18.

53. Page 546, line 4: delete "~~(gp),~~" and substitute "(gp),".

54. Page 546, line 5: delete "~~and~~ (w)<u>, and (xd)</u>" and substitute "and (w)".

55. Page 571, line 6: delete lines 6 to 12.

56. Page 574, line 20: delete that line.

1 **57.** Page 603, line 25: delete "$67,756,000" and substitute "$67,452,000".

2 **58.** Page 650, line 6: delete the material beginning with that line and ending
3 with page 651, line 3.

4 **59.** Page 653, line 15: delete the material beginning with that line and ending
5 with page 655, line 11.

6 **60.** Page 655, line 12: delete the material beginning with that line and ending
7 with page 656, line 12.

8 **61.** Page 658, line 3: delete lines 3 to 8.

9 **62.** Page 658, line 9: delete lines 9 to 14.

10 **63.** Page 659, line 7: delete "$44,390,000" and substitute "$44,068,500".

11 **64.** Page 659, line 8: delete "$44,035,900" and substitute "$43,392,200".

12 **65.** Page 693, line 15: delete lines 15 to 20.

13 **66.** Page 696, line 22: delete the material beginning with that line and ending
14 with page 697, line 10.

15 **67.** Page 698, line 15: delete lines 15 to 22.

16 **68.** Page 700, line 5: delete the material beginning with that line and ending
17 with page 701, line 12.

18 **69.** Page 701, line 15: delete "~~(gp),~~ (o), ~~and~~ (w), and (xd)" and substitute "(gp),
19 (o), and (w)".

20 **70.** Page 702, line 13: delete lines 13 to 18.

21 **71.** Page 704, line 20: delete the material beginning with "Any individual" and
22 ending with "subsection." on line 24.

1 **72.** Page 705, line 7: delete lines 7 to 12.

2 **73.** Page 705, line 13: delete lines 13 to 23 and substitute:

3 "**SECTION 1549m.** 49.45 (24r) of the statutes is amended to read:

4 49.45 **(24r)** FAMILY PLANNING DEMONSTRATION PROJECT. The department shall
5 request a waiver from the secretary of the federal department of health and human
6 services to permit the department to conduct a demonstration project to provide
7 family planning ~~services~~, as defined in s. 253.07 (1) ~~(b)~~ (a), under medical assistance
8 to any woman between the ages of 15 and 44 whose family income does not exceed
9 ~~185%~~ 200% of the poverty line for a family the size of the woman's family. ~~If the~~
10 ~~waiver is granted and in effect, the~~ The department shall implement ~~the~~ any waiver
11 ~~no later than July 1, 1998, or on the effective date of the waiver, whichever is later~~
12 granted.".

13 **74.** Page 709, line 16: delete the material beginning with that line and ending
14 with page 710, line 2.

15 **75.** Page 711, line 21: delete the material beginning with that line and ending
16 with page 713, line 25.

17 **76.** Page 749, line 3: delete lines 3 to 14.

18 **77.** Page 749, line 19: delete lines 19 to 24.

19 **78.** Page 759, line 20: delete "~~and~~ (x), and (xd)" and substitute "and (x)".

20 **79.** Page 760, line 3: delete "~~and~~ (x), and (xd)" and substitute "and (x)".

21 **80.** Page 760, line 15: delete "~~and~~ (x), and (xd)" and substitute "and (x)".

1 **81.** Page 803, line 4: delete "the general fund, except amounts in excess of
2 $13,800,000 shall be deposited in" and substitute "~~the general fund, except amounts~~
3 ~~in excess of $13,800,000 shall be deposited in~~".

4 **82.** Page 803, line 9: delete "$127" and substitute "$75".

5 **83.** Page 803, line 25: delete the material beginning with that line and ending
6 with page 805, line 9.

7 **84.** Page 805, line 24: after that line insert:

8 "**SECTION 1810r.** 51.03 (6) of the statutes is created to read:

9 51.03 **(6)** The department shall issue a request for proposals to provide
10 pharmacy management services for all state treatment facilities.".

11 **85.** Page 827, line 23: after that line insert:

12 "**SECTION 1867.** 62.13 (5) (i) of the statutes is amended to read:

13 62.13 **(5)** (i) Any person suspended, reduced, suspended and reduced, or
14 removed by the board may appeal from the order of the board to the circuit court by
15 serving written notice of the appeal on the secretary of the board within 10 days after
16 the order is filed. Within 5 days after receiving written notice of the appeal, the board
17 shall certify to the clerk of the circuit court the record of the proceedings, including
18 all documents, testimony and minutes. The action shall then be at issue and shall
19 have precedence over any other cause of a different nature pending in the court,
20 which shall always be open to the trial thereof. The court shall upon application of
21 the accused or of the board fix a date of trial, which shall not be later than 15 days
22 after such application except by agreement. The trial shall be by the court and upon
23 the return of the board, except that the court may require further return or the taking
24 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 relating to a police officer is sustained it shall be final and conclusive.".

86. Page 830, line 3: delete lines 3 to 9.

87. Page 832, line 14: after that line insert:

"**SECTION 1878d.** 66.0602 of the statutes, as affected by 2007 Wisconsin Act .... (this act), is repealed.".

88. Page 832, line 25: delete "4" and substitute "2".

89. Page 833, line 2: delete "year," and substitute "year;".

90. Page 833, line 14: after that line insert:

"**SECTION 1883e.** 66.0602 (3) (d) 4. of the statutes is created to read:

66.0602 **(3)** (d) 4. If the amount of a lease payment related to a lease revenue bond for a political subdivision in the preceding year is less than the amount of the lease payment needed in the current year, as a result of the issuance of a lease revenue bond before July 1, 2005, the levy increase limit otherwise applicable under this section to the political subdivision in the current year is increased by the difference between these 2 amounts.

SECTION 1883g. 66.0602 (3) (dm) of the statutes is created to read:

66.0602 **(3)** (dm) If the department of revenue does not certify a value increment for a tax incremental district for the current year as a result of the district's termination, the levy increase limit otherwise applicable under this section

in the current year to the political subdivision in which the district is located is increased by an amount equal to the political subdivision's maximum allowable levy for the immediately preceeding year, multiplied by a percentage equal to 50 percent of the amount determined by dividing the value increment of the terminated tax incremental district, calculated for the previous year, by the political subdivision's equalized value for the previous year, all as determined by the department of revenue.".

91. Page 834, line 10: after that line insert:

"**SECTION 1889e.** 66.0602 (3) (e) 6. of the statutes is created to read:

66.0602 **(3)** (e) 6. The amount that a county levies in that year for a countywide emergency medical system.

SECTION 1889g. 66.0602 (3) (e) 7. of the statutes is created to read:

66.0602 **(3)** (e) 7. The amount that a village levies in that year for police protection services, but this subdivision applies only to a village's levy for the year immediately after the year in which the village changes from town status and incorporates as a village, and only if the town did not have a police force.".

92. Page 837, line 5: delete lines 5 to 10.

93. Page 843, line 6: delete lines 6 to 12.

94. Page 843, line 12: after that line insert:

"**SECTION 1935d.** 70.111 (26) of the statutes is created to read:

70.111 **(26)** HIGH DENSITY SEQUENCING SYSTEMS. (a) In this subsection, "production process" has the meaning given in s. 70.11 (27) (a) 5., except that storage is not excluded.

(b) A high density sequencing system that by mechanical or electronic operation moves printed materials from one place to another within the production process, organizes the materials for optimal staging, or stores and retrieves the materials to facilitate the production or assembly of such materials.".

95. Page 884, line 12: delete the material beginning with that line and ending with page 885, line 4.

96. Page 893, line 8: delete "~~(2) (b) and~~" and substitute "(2) (b) and".

97. Page 895, line 17: delete "~~(2) (b) and~~" and substitute "(2) (b) and".

98. Page 898, line 13: delete "~~(2) (b) and~~" and substitute "(2) (b) and".

99. Page 901, line 4: delete "~~(2) (b) and~~" and substitute "(2) (b) and".

100. Page 903, line 17: delete "~~(2) (b) and~~" and substitute "(2) (b) and".

101. Page 906, line 2: after "71.26" insert "(2) (b) and".

102. Page 908, line 4: after "71.26" insert "(2) (b) and".

103. Page 926, line 12: delete the material beginning with that line and ending with page 927, line 3.

104. Page 929, line 8: delete the material beginning with that line and ending with page 930, line 14.

105. Page 938, line 18: delete the material beginning with that line and ending with page 939, line 10.

106. Page 989, line 19: delete the material beginning with that line and ending with page 990, line 10.

107. Page 1015, line 18: delete the material beginning with that line and ending with page 1016, line 2.

1 **108.** Page 1016, line 12: delete lines 12 to 25.

2 **109.** Page 1017, line 19: delete the material beginning with that line and
3 ending with page 1019, line 9.

4 **110.** Page 1022, line 1: delete lines 1 to 8.

5 **111.** Page 1026, line 1: delete the material beginning with that line and
6 ending with page 1028, line 7.

7 **112.** Page 1028, line 12: delete the material beginning with that line and
8 ending with page 1032, line 18.

9 **113.** Page 1032, line 25: delete the material beginning with that line and
10 ending with page 1042, line 25.

11 **114.** Page 1043, line 10: delete the material beginning with that line and
12 ending with page 1049, line 16.

13 **115.** Page 1050, line 3: delete the material beginning with that line and
14 ending with page 1052, line 20.

15 **116.** Page 1053, line 12: delete the material beginning with that line and
16 ending with page 1060, line 3.

17 **117.** Page 1060, line 11: delete lines 11 to 17.

18 **118.** Page 1061, line 3: delete the material beginning with that line and
19 ending with page 1067, line 2.

20 **119.** Page 1067, line 7: delete the material beginning with that line and
21 ending with page 1070, line 2.

22 **120.** Page 1070, line 4: delete lines 4 to 19 and substitute:

"77.52 **(2)** (a) 11. The producing, fabricating, processing, printing or imprinting of tangible personal property for a consideration for consumers who furnish directly or indirectly the materials used in the producing, fabricating, processing, printing or imprinting. This subdivision does not apply to the printing or imprinting of tangible personal property ~~which will be subsequently transported outside the state for use outside the state by the consumer for advertising purposes~~ that results in printed material, catalogs, or envelopes that are exempt under s. 77.54 (25) or (25m).".

121. Page 1070, line 20: delete the material beginning with that line and ending with page 1071, line 14.

122. Page 1071, line 19: delete the material beginning with that line and ending with page 1087, line 11.

123. Page 1087, line 17: delete the material beginning with that line and ending with page 1098, line 3.

124. Page 1098, line 9: delete the material beginning with that line and ending with page 1102, line 22.

125. Page 1103, line 4: delete lines 4 to 24 and substitute:

"**SECTION 2383d.** 77.54 (25) of the statutes is amended to read:

77.54 **(25)** The gross receipts from the sale of and the storage of printed material which is designed to advertise and promote the sale of merchandise, or to advertise the services of individual business firms, which printed material is purchased and stored for the purpose of subsequently transporting it outside the state by the purchaser for use thereafter solely outside the state. This subsection does not apply to catalogs and the envelopes in which the catalogs are mailed.".

1 **126.** Page 1104, line 1: delete "sales price" and substitute "gross receipts".

2 **127.** Page 1104, line 5: delete the material beginning with that line and
3 ending with page 1105, line 23.

4 **128.** Page 1106, line 3: delete the material beginning with that line and
5 ending with page 1109, line 25.

6 **129.** Page 1110, line 7: delete the material beginning with that line and
7 ending with page 1112, line 3.

8 **130.** Page 1112, line 9: delete lines 9 to 14.

9 **131.** Page 1113, line 1: delete the material beginning with that line and
10 ending with page 1121, line 15.

11 **132.** Page 1122, line 5: delete the material beginning with that line and
12 ending with page 1127, line 25.

13 **133.** Page 1128, line 5: delete the material beginning with that line and
14 ending with page 1140, line 2 and substitute:

15 "**SECTION 2454d.** 77.63 (2) of the statutes is repealed.".

16 **134.** Page 1142, line 23: after that line insert:

17 "(fm) A requirement that no more than 10 percent of grant funding available
18 under this section may be used to acquire parcels of land that are less than 10 acres
19 in size.".

20 **135.** Page 1144, line 4: delete lines 4 to 21.

21 **136.** Page 1145, line 4: delete lines 4 to 23.

22 **137.** Page 1146, line 8: delete the material beginning with that line and
23 ending with page 1147, line 12.

1 **138.** Page 1147, line 19: delete the material beginning with that line and
2 ending with page 1148, line 6.

3 **139.** Page 1148, line 22: delete the material beginning with that line and
4 ending with page 1149, line 5.

5 **140.** Page 1156, line 20: delete that line and substitute "$469,305,000
6 beginning in 1997 and ending in 2006; ~~and~~ $593,050,000 in 2007; $672,400,000 in
7 2008; and $747,400,000 in 2009 and in each year".

8 **141.** Page 1156, line 25: delete "$100,000,000" and substitute "$75,000,000".

9 **142.** Page 1159, line 20: delete the material beginning with that line and
10 ending with page 1160, line 5.

11 **143.** Page 1161, line 6: delete lines 6 to 10.

12 **144.** Page 1182, line 12: after that line insert:

13 "**SECTION 2666e.** 111.70 (4) (c) 2. of the statutes is renumbered 111.70 (4) (c) 2.
14 a.

15 **SECTION 2666f.** 111.70 (4) (c) 2. b. of the statutes is created to read:

16 111.70 **(4)** (c) 2. b. A collective bargaining agreement entered into between fire
17 fighting personnel and a municipal employer may, notwithstanding s. 62.13 (5),
18 contain dispute resolution procedures, including arbitration, that address the
19 suspension, reduction in rank, suspension and reduction in rank, or removal of such
20 personnel. If the procedures include arbitration, the arbitration hearing shall be
21 public and the decision of the arbitrator shall be issued within 180 days of the
22 conclusion of the hearing.

23 **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*.

SECTION 2679i. 111.70 (4) (mc) of the statutes is created to read:

111.70 **(4)** (mc) *Prohibited subjects of bargaining; fire fighting personnel.* In a bargaining unit containing fire fighting 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).".

145. Page 1182, line 13: delete lines 13 to 15.

146. Page 1194, line 10: delete lines 10 to 22.

147. Page 1195, line 18: delete lines 18 to 22.

148. Page 1197, line 13: delete "school".

149. Page 1197, line 14: delete that line and substitute "total number of pupils enrolled in all eligible school districts.".

150. Page 1201, line 22: after that line insert:

"**SECTION 2757te.** 125.02 (2) of the statutes is amended to read:

125.02 **(2)** "Brewer" means any person who manufactures fermented malt beverages for sale or transportation, except that "brewer" does not include a permittee under s. 125.295.

SECTION 2757tm. 125.02 (2d) (intro.), (2h), (2p) and (2t) of the statutes are created to read:

1 125.02 **(2d)** (intro.) "Brewer group" means a brewer, including all premises for
2 which the brewer holds a permit issued under s. 125.29, together with all of the
3 following:
4 **(2h)** "Brewpub" means a permittee under s. 125.295.
5 **(2p)** "Brewpub group" means a brewpub, including all premises for which the
6 brewpub holds a permit issued under s. 125.295, together with all of the following:
7 (a) All brewpubs that share membership with the brewpub in a controlled
8 group of brewpubs, as determined under 26 USC 5051 (a) (2) (B).
9 (b) All brewpubs considered with the brewpub as one taxpayer under 27 CFR
10 25.111b (b).
11 (c) All franchisees, as defined in s. 553.03 (5), of the brewpub.
12 (d) All franchisees, as defined in s. 553.03 (5), of the brewpub's franchisor, as
13 defined in s. 553.03 (6).
14 (e) The franchisor, as defined in s. 553.03 (6), of the brewpub.
15 **(2t)** "Brewpub premises" means any premises covered by a permit issued under
16 s. 125.295.".
17 **151.** Page 1202, line 3: after that line insert:
18 "**SECTION 2757we.** 125.02 (21) of the statutes is amended to read:
19 125.02 **(21)** "Wholesaler" means a person, other than a brewer, brewpub,
20 manufacturer, or rectifier, who sells alcohol beverages to a licensed retailer or to
21 another person who holds a permit or license to sell alcohol beverages at wholesale.
22 **SECTION 2757wm.** 125.04 (9) of the statutes is amended to read:
23 125.04 **(9)** SEPARATE LICENSE OR PERMIT REQUIRED. Except as provided under ss.
24 125.27 (2) (a) and 125.51 (5) (c) 1., wholesalers, manufacturers, rectifiers, brewers,

1 brewpubs, and retailers shall have a separate permit or license covering each
2 location or premises, except a licensed public warehouse, from which deliveries and
3 sales of alcohol beverages are made or at which alcohol beverages are stored.

4 **SECTION 2757ws.** 125.07 (4) (bm) 1. of the statutes is amended to read:

5 125.07 **(4)** (bm) 1. A brewer or brewpub.".

6 **152.** Page 1202, line 20: after that line insert:

7 "**SECTION 2759b.** 125.10 (4) of the statutes is amended to read:

8 125.10 **(4)** REGULATION OF CLOSED RETAIL PREMISES. A municipality may not
9 prohibit the permittee, licensee, employees, salespersons, employees of wholesalers
10 licensed under s. 125.28 (1) or 125.54 (1); employees of permittees under s. 125.295
11 with respect to the permittee's own retail premises; or service personnel from being
12 present on premises operated under a Class "A", "Class A" or "Class C" license or
13 under a Class "B" or "Class B" license or permit during hours when the premises are
14 not open for business if those persons are performing job-related activities.".

15 **153.** Page 1203, line 4: after that line insert:

16 "**SECTION 2759ca.** 125.25 (2) (b) 5. of the statutes is created to read:

17 125.25 **(2)** (b) 5. A Class "A" license may not be issued to a person holding a
18 brewpub permit issued under s. 125.295 or to a person who has a direct or indirect
19 ownership interest in a premises operating under a brewpub permit issued under s.
20 125.295.

21 **SECTION 2759cb.** 125.26 (2) (b) 1. of the statutes is amended to read:

22 125.26 **(2)** (b) 1. Except as provided in ~~s.~~ ss. 125.295 and 125.31, Class "B"
23 licenses may not be issued to brewers or brewpubs.".

24 **154.** Page 1203, line 21: after that line insert:

1 "**SECTION 2759cec.** 125.28 (2) (b) 1. e. of the statutes is created to read:

2 125.28 **(2)** (b) 1. e. A brewpub permit issued under s. 125.295.

3 **SECTION 2759ced.** 125.28 (2) (b) 2. of the statutes is amended to read:

4 125.28 **(2)** (b) 2. A person who has a direct or indirect ownership interest in a
5 premises operating under one or more of the licenses or permits listed in subd. 1. a.
6 to ~~d.~~ e.

7 **SECTION 2759cf.** 125.29 (5) and (6) of the statutes are created to read:

8 125.29 **(5)** BREWPUBS. No person holding a brewpub permit under s. 125.295
9 may register as a brewer under this section.

10 **(6)** RESTAURANTS. No person issued a permit under this section after the
11 effective date of this subsection .... [revisor inserts date], may hold a restaurant
12 permit issued under s. 254.64.

13 **SECTION 2759cg.** 125.295 of the statutes is created to read:

14 **125.295 Brewpub permits. (1)** The department shall issue brewpub permits
15 to eligible applicants authorizing all of the following:

16 (a) The manufacture of fermented malt beverages on the brewpub premises if
17 the entire manufacturing process occurs on these premises and not more than 10,000
18 barrels of fermented malt beverages are manufactured in a calendar year by the
19 permittee's brewpub group.

20 (b) The bottling on brewpub premises of fermented malt beverages that have
21 been manufactured on these premises.

22 (c) The packaging in refillable containers exceeding 24 ounces in volume, at the
23 request of a customer and on brewpub premises, of fermented malt beverages that
24 have been manufactured on these premises.

1 (d) The possession and storage of any fermented malt beverages on brewpub
2 premises.
3 (e) The transportation of fermented malt beverages that have been
4 manufactured on the brewpub premises between these premises and any other
5 brewpub premises or Class "B" premises of the brewpub group.
6 (f) Subject to s. 125.34 (3) and (4), the sale at wholesale, shipment,
7 transportation, and delivery, in original unopened packages or containers, to
8 wholesalers, from the brewpub premises, of fermented malt beverages that have
9 been manufactured on these premises or on other brewpub premises of the brewpub.
10 (g) The sale at wholesale, shipment, transportation, and delivery, in original
11 unopened packages or containers, to retailers, from the brewpub premises, of
12 fermented malt beverages that have been manufactured on these premises or on
13 other brewpub premises of the brewpub. A brewpub's brewpub group may not sell,
14 ship, transport, or deliver more than a total of 1,000 barrels of fermented malt
15 beverages in any calendar year to retailers under this paragraph. Fermented malt
16 beverages provided by a brewpub to any retail premises for which the brewpub group
17 holds a retail license shall not be included in any calculation of the 1,000 barrel
18 limitation under this paragraph. Deliveries and shipments of fermented malt
19 beverages by a brewpub under this paragraph shall be made to retailers only at their
20 retail premises. Any retailer receiving such a delivery or shipment is subject to the
21 prohibition under s. 125.34 (5) against further transporting the delivery or shipment
22 to any other retail premises.
23 (h) The sale of alcohol beverages at retail on the brewpub premises in
24 accordance with the terms of any retail license specified in subs. (2) (a) 4. and (3) (b)
25 and (c).

1 (i) Notwithstanding s. 125.33 (1), the ownership, maintenance, and operation
2 of places for the sale of fermented malt beverages at the state fair park or on any
3 county fairgrounds located in this state if the fermented malt beverages have been
4 manufactured by the brewpub.

5 **(2)** (a) An applicant is eligible for a brewpub permit only if all of the following
6 apply:

7 1. The applicant's brewpub group manufactures a total of not more than 10,000
8 barrels of fermented malt beverages in a calendar year.

9 2. The applicant's entire process for manufacturing fermented malt beverages
10 occurs on premises covered by a permit issued under this section. If the applicant
11 holds more than one permit issued under this section, the applicant is not required
12 to manufacture fermented malt beverages on each premises for which a permit is
13 issued under this section.

14 3. The applicant operates a restaurant on the premises for which the permit
15 is issued, for which a restaurant permit is issued under s. 254.64.

16 4. The applicant holds a Class "B" license for the restaurant identified in subd.
17 3. and, on these Class "B" premises, offers for sale, in addition to fermented malt
18 beverages manufactured by the applicant, fermented malt beverages manufactured
19 by a brewer other than the applicant and its brewpub group.

20 5. The applicant holds a valid certificate issued under s. 73.03 (50).

21 6. Neither the applicant nor the applicant's brewpub group holds, or has a
22 direct or indirect ownership interest in a premises operating under, any of the
23 following:

24 a. A Class "A" license issued under s. 125.25.

1 b. Except as provided in subd. 4. and subs. (1) (h) and (3) (b), a Class "B" license
2 issued under s. 125.26.
3 c. A wholesaler's license issued under s. 125.28.
4 d. A brewer's permit issued under s. 125.29.
5 e. Except as provided in subs. (1) (h) and (3) (c), a "Class B" license or permit
6 or "Class C" license issued under s. 125.51.
7 f. An alcohol beverage warehouse permit issued under s. 125.19.
8 (b) If an applicant under par. (a) has no current operations, the applicant may
9 certify that the applicant has applied for or will apply for a Class "B" license or
10 restaurant permit or will comply with any other requirement under par. (a), prior to
11 or upon commencing operations authorized under this section. If a Class "B" license
12 or restaurant permit is not subsequently issued to the applicant, or if the applicant
13 otherwise fails to comply with any requirement for eligibility under par. (a), the
14 department may revoke under s. 125.12 (5) the permit issued under this section.
15 (c) If an applicant under par. (a) holds any license or permit prohibited under
16 par. (a) 6. at the time of its application, the applicant may certify that the applicant
17 will surrender any such license or permit upon issuance of a permit under this
18 section. If the department issues a permit under this section and the applicant fails
19 to surrender any license or permit prohibited under par. (a) 6., the department may
20 revoke under s. 125.12 (5) the permit issued under this section. An applicant is not
21 required to surrender any Class "B" license issued under s. 125.31 (1) (a) 2. or under
22 s. 125.31 (1) (a) 3., 2005 stats., if the applicant's continued possession of the license
23 is consistent with subs. (1) (h), (2) (a) 4., and (3) (b) and (c).
24 **(3)** (a) No brewpub group may hold more than 6 brewpub permits issued under
25 this section.

(b) A brewpub may not hold any Class "B" license other than one issued for a restaurant on the brewpub premises. Notwithstanding s. 125.26 (2) (a), each Class "B" license shall be issued for the brewpub's restaurant in the same name as the permittee under this section. Notwithstanding s. 125.33 (1), a brewpub may own the furniture, fixtures, fittings, furnishings, and equipment on the Class "B" premises and shall pay any license fee or tax required for the operation of the premises.

(c) Subject to the requirements specified in s. 125.51 (3) and (3m), a brewpub may also hold "Class B" licenses and "Class C" licenses, but only for restaurants on brewpub premises.

(4) The fee established by the department for a brewpub permit shall not exceed the fee established by the department for a permit under s. 125.29.

(5) The department shall promulgate rules and prescribe forms to ensure strict compliance with the requirements under this section.

SECTION 2759ch. 125.31 (1) (a) 1. (intro.) of the statutes is repealed.

SECTION 2759ci. 125.31 (1) (a) 1. a. to e. of the statutes are renumbered 125.02 (2d) (a) to (e).

SECTION 2759cj. 125.31 (1) (a) 2. of the statutes is amended to read:

125.31 **(1)** (a) 2. Notwithstanding ss. 125.29 (2) and 125.33 (1), a brewer may maintain and operate one place on brewery premises, and ~~one~~ another place ~~on real estate owned by the brewer or a subsidiary or affiliate corporation or limited liability company,~~ for the sale of fermented malt beverages for which a Class "B" license is required for each place, but, except as provided in ~~subds. 3. and~~ subd. 4., not more than 2 such Class "B" licenses shall be issued to any brewer.

SECTION 2759ck. 125.31 (1) (a) 3. of the statutes is repealed.

SECTION 2759cL. 125.31 (1) (a) 4. of the statutes is amended to read:

125.31 **(1)** (a) 4. Notwithstanding ss. 125.29 (2) and 125.33 (1), in addition to places authorized under subd. 2., a brewer may possess or hold an indirect interest in a Class "B" license for not more than 20 restaurants in each of which the sale of alcohol beverages accounts for less than 60% of the restaurant's gross receipts if no fermented malt beverages manufactured by the brewer are offered for sale in any of these restaurants. ~~No brewer may possess Class "B" licenses under both this subdivision and subd. 3.~~

SECTION 2759cLd. 125.32 (5) and (7) (a) of the statutes are amended to read:

125.32 **(5)** SIGNS NEAR TAPS AND BRANDS ON TAP; CLASS "B" PREMISES. Every Class "B" licensee or permittee selling or offering for sale draught fermented malt beverages shall display a sign on or near each tap or faucet disclosing the brand of fermented malt beverage drawn from the tap or faucet and the name of ~~its~~ the brewer or brewpub that manufactured it. No Class "B" licensee or permittee may substitute any other brand of fermented malt beverage in place of the brand designated on the sign with the intent to defraud or deceive the customer.

(7) (a) No fermented malt beverages may be sold, offered, or exposed for sale, kept in possession with intent to sell, or served on any premises for which a license or permit for the sale of fermented malt beverages has been issued unless each barrel, keg, cask, bottle, or other container bears a label or other identification with the name and address of the brewer or brewpub that manufactured it. The possession of any fermented malt beverages which are not so identified on any premises for which a license or permit for the sale of fermented malt beverages has been issued is prima facie evidence that the fermented malt beverages are possessed with intent to sell, offer for sale, display for sale, or give away.