



**ASSEMBLY AMENDMENT 122,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2009 ASSEMBLY BILL 75**

June 11, 2009 – Offered by Representatives SHERIDAN, NELSON and POCAN.

- 1 At the locations indicated, amend the substitute amendment as follows:
- 2 **1.** Page 1, line 3: delete the material beginning with that line and ending with
3 page 2, line 5.
- 4 **2.** Page 4, line 18: delete the material beginning with that line and ending with
5 page 5, line 2.
- 6 **3.** Page 16, line 19: delete that line.
- 7 **4.** Page 18, line 6: delete lines 6 to 18.
- 8 **5.** Page 28, line 22: delete the material beginning with that line and ending
9 with page 29, line 2.

1 **6.** Page 33, line 22: after “year” insert “for the performance of services of
2 agency employees who would have performed the services had they been hired or had
3 they not have been required to take an unpaid leave of absence”.

4 **7.** Page 40, line 16: delete the material beginning with that line and ending
5 with page 41, line 3.

6 **8.** Page 41, line 19: after that line insert:

7 “**SECTION 120b.** 16.957 (2) (a) (intro.) of the statutes is renumbered 16.957 (2)
8 (a) and amended to read:

9 16.957 **(2)** (a) *Low-income programs.* After holding a hearing, establish
10 programs to be administered by the department for awarding grants from the
11 appropriation under s. 20.505 (3) (r) to provide low-income assistance. In each fiscal
12 year, the amount awarded under this paragraph shall be sufficient to ensure that an
13 amount equal to ~~47% of the sum of the following~~ not less than \$75,000,000, or the
14 amount determined under par. (d) 2g. or 2r., is spent for weatherization and other
15 energy conservation services;.

16 **SECTION 120f.** 16.957 (2) (a) of the statutes, as affected by 2009 Wisconsin Act
17 (this act), is repealed and recreated to read:

18 16.957 **(2)** (a) *Low-income programs.* (intro.) After holding a hearing,
19 establish programs to be administered by the department for awarding grants from
20 the appropriation under s. 20.505 (3) (r) to provide low-income assistance. In each
21 fiscal year, the amount awarded under this paragraph shall be sufficient to ensure
22 that an amount equal to 47 percent of the sum of the following is spent for
23 weatherization and other energy conservation services:

1 1. All moneys received from the federal government under 42 USC 6861 to 6873
2 and 42 USC 8621 to 8629 in a fiscal year.

3 2. All moneys spent in a fiscal year for low-income programs established under
4 s. 196.374, 2003 stats.

5 3. All moneys spent in a fiscal year on programs established under this
6 paragraph.

7 4. The moneys collected in low-income assistance fees under sub. (5) (a).

8 **SECTION 120k.** 16.957 (2) (a) 1. to 4. of the statutes are repealed.

9 **SECTION 120o.** 16.957 (2) (d) 2g. of the statutes is created to read:

10 16.957 (2) (d) 2g. In fiscal years 2010–11 and 2011–12, increase the amount
11 required to be spent on weatherization and other energy conservation services under
12 par. (a) to reflect the increase in the cost of living, as determined by the department,
13 that occurred during the previous fiscal year.

14 **SECTION 120s.** 16.957 (2) (d) 2g. of the statutes, as created by 2009 Wisconsin
15 Act (this act), is repealed.

16 **SECTION 120w.** 16.957 (2) (d) 2r. of the statutes is created to read:

17 16.957 (2) (d) 2r. In fiscal years 2009–10, 2010–11, and 2011–12, at the
18 department’s discretion, subtract no more than \$10,000,000 from the \$75,000,000
19 specified in par. (a).

20 **SECTION 120y.** 16.957 (2) (d) 2r. of the statutes, as created by 2009 Wisconsin
21 Act (this act), is repealed.”.

22 **9.** Page 46, line 20: delete lines 20 to 25.

1 **28.** Page 129, line 5: after that line insert:

2 “(ac) Lake Koshkonong study GPR A 50,000 –0–”.

3 **29.** Page 130, line 3: delete that line.

4 **30.** Page 130, line 19: increase the dollar amount for fiscal year 2009–10 by
5 \$50,000 for the purpose of a study of Lake Koshkonong.

6 **31.** Page 137, line 11: increase the dollar amount for fiscal year 2009–10 by
7 \$595,100 and increase the dollar amount for fiscal year 2010–11 by \$2,380,200 to
8 increase the authorized FTE positions of the department of natural resources by
9 46.31 GPR positions for the purpose of staffing walk–in service centers operated by
10 the department of natural resources.

11 **32.** Page 152, line 8: increase the dollar amount for fiscal year 2009–10 by
12 \$57,000 and increase the dollar amount for fiscal year 2010–11 by \$124,400 for the
13 purpose of increasing funding for facilities costs for state traffic patrol posts in the
14 cities of Tomah and Spooner.

15 **33.** Page 154, line 18: increase the dollar amount for fiscal year 2009–10 by
16 \$28,300 and increase the dollar amount for fiscal year 2010–11 by \$38,700 for the
17 purpose of of increasing funding for facilities costs for state traffic patrol posts in the
18 cities of Tomah and Spooner.

19 **34.** Page 165, line 10: increase the dollar amount for fiscal year 2009–10 by
20 \$171,800 and increase the dollar amount for fiscal year 2010–11 by \$171,800 to
21 increase funding for the Marquette University School of Dentistry.

1 **35.** Page 169, line 2: increase the dollar amount for fiscal year 2009–10 by
2 \$1,166,600 and increase the dollar amount for fiscal year 2010–11 by \$2,301,200 to
3 increase funding for the purposes for which the appropriation is made.

4 **36.** Page 169, line 5: decrease the dollar amount for fiscal year 2009–10 by
5 \$50,000 and decrease the dollar amount for fiscal year 2010–11 by \$35,000 to
6 decrease funding for the purposes for which the appropriation is made.

7 **37.** Page 182, line 12: after that line insert:

8 “(fm) Racine child care pilot program GPR A 128,500 128,500”.

9 **38.** Page 187, line 10: after that line insert:

10 “(fr) Milwaukee Area Workforce

11 Investment Board GPR B 2,000,000 –0–”.

12 **39.** Page 191, line 3: increase the dollar amount for fiscal year 2009–10 by
13 \$725,100 and increase the dollar amount for fiscal year 2010–11 by \$725,100 for the
14 purposes for which the appropriation is made.

15 **40.** Page 191, line 4: increase the dollar amount for fiscal year 2009–10 by
16 \$41,400 and increase the dollar amount for fiscal year 2010–11 by \$41,400 for the
17 purposes for which the appropriation is made.

18 **41.** Page 191, line 5: increase the dollar amount for fiscal year 2009–10 by
19 \$42,400 and increase the dollar amount for fiscal year 2010–11 by \$42,400 for the
20 purposes for which the appropriation is made.

21 **42.** Page 191, line 9: increase the dollar amount for fiscal year 2009–10 by
22 \$29,200 and increase the dollar amount for fiscal year 2010–11 by \$29,200 for the
23 purposes for which the appropriation is made.

1 **43.** Page 191, line 11: increase the dollar amount for fiscal year 2009–10 by
2 \$55,200 and increase the dollar amount for fiscal year 2010–11 by \$55,200 for the
3 purpose for which the appropriation is made.

4 **44.** Page 192, line 2: increase the dollar amount for fiscal year 2009–10 by
5 \$875,500 and increase the dollar amount for fiscal year 2010–11 by \$875,500 for the
6 purposes for which the appropriation is made.

7 **45.** Page 192, line 3: increase the dollar amount for fiscal year 2009–10 by
8 \$4,300 and increase the dollar amount for fiscal year 2010–11 by \$4,300 for the
9 purposes for which the appropriation is made.

10 **46.** Page 192, line 12: increase the dollar amount for fiscal year 2009–10 by
11 \$12,800 and increase the dollar amount for fiscal year 2010–11 by \$12,800 for the
12 purpose for which the appropriation is made.

13 **47.** Page 192, line 20: increase the dollar amount for fiscal year 2009–10 by
14 \$238,800 and increase the dollar amount for fiscal year 2010–11 by \$238,800 for the
15 purposes for which the appropriation is made.

16 **48.** Page 193, line 1: increase the dollar amount for fiscal year 2009–10 by
17 \$139,200 and increase the dollar amount for fiscal year 2010–11 by \$139,200 for the
18 purposes for which the appropriation is made.

19 **49.** Page 193, line 10: increase the dollar amount for fiscal year 2009–10 by
20 \$12,500 and increase the dollar amount for fiscal year 2010–11 by \$12,500 for the
21 purposes for which the appropriation is made.

1 **50.** Page 194, line 13: increase the dollar amount for fiscal year 2009–10 by
2 \$257,200 and increase the dollar amount for fiscal year 2010–11 by \$257,200 for the
3 purpose for which the appropriation is made.

4 **51.** Page 194, line 18: delete “A” and substitute “C”.

5 **52.** Page 194, line 18: delete “1,000,000” and substitute “–0–”.

6 **53.** Page 195, line 5: increase the dollar amount for fiscal year 2009–10 by
7 \$58,800 and increase the dollar amount for fiscal year 2010–11 by \$58,800 for the
8 purposes for which the appropriation is made.

9 **54.** Page 195, line 6: increase the dollar amount for fiscal year 2009–10 by
10 \$64,600 and increase the dollar amount for fiscal year 2010–11 by \$64,600 for the
11 purposes for which the appropriation is made.

12 **55.** Page 195, line 8: increase the dollar amount for fiscal year 2009–10 by
13 \$73,000 and increase the dollar amount for fiscal year 2010–11 by \$73,000 for the
14 purposes for which the appropriation is made.

15 **56.** Page 195, line 10: increase the dollar amount for fiscal year 2009–10 by
16 \$2,600 and increase the dollar amount for fiscal year 2010–11 by \$2,600 for the
17 purposes for which the appropriation is made.

18 **57.** Page 195, line 17: increase the dollar amount for fiscal year 2009–10 by
19 \$2,700 and increase the dollar amount for fiscal year 2010–11 by \$2,700 for the
20 purpose for which the appropriation is made.

21 **58.** Page 195, line 18: increase the dollar amount for fiscal year 2009–10 by
22 \$15,400 and increase the dollar amount for fiscal year 2010–11 by \$15,400 for the
23 purposes for which the appropriation is made.

1 **59.** Page 195, line 20: increase the dollar amount for fiscal year 2009–10 by
 2 \$600 and increase the dollar amount for fiscal year 2010–11 by \$600 for the purposes
 3 for which the appropriation is made.

4 **60.** Page 196, line 3: increase the dollar amount for fiscal year 2009–10 by
 5 \$26,100 and increase the dollar amount for fiscal year 2010–11 by \$26,100 for the
 6 purposes for which the appropriation is made.

7 **61.** Page 196, line 4: increase the dollar amount for fiscal year 2009–10 by
 8 \$25,100 and increase the dollar amount for fiscal year 2010–11 by \$25,100 for the
 9 purposes for which the appropriation is made.

10 **62.** Page 197, line 17: after that line insert:

11 “(r) Military family relief SEG C –0– –0–”.

12 **63.** Page 206, line 7: before that line insert:

13 “(3) HOMEOWNERSHIP MORTGAGE ASSISTANCE

14 (a) Homeowner eviction and lien

15 protection program GPR C –0– –0–”.

16 **64.** Page 217, line 4: after that line insert:

17 “(br) Restorative justice GPR A 50,000 –0–”.

18 **65.** Page 221, line 4: after that line insert:

19 “(bd) Pension study GPR A 5,000 –0–”.

20 **66.** Page 226, line 16: delete “KRM” and substitute “southeastern regional
 21 transit”.

22 **67.** Page 240, line 2: after that line insert:

1 “(r) County and municipal aid
2 account; police and fire protec-
3 tion fund SEG C -0- -0-”.

4 **68.** Page 242, line 16: delete “KRM” and substitute “Southeastern regional
5 transit”.

6 **69.** Page 245, line 15: after that line insert:

7 “(ge) Feeding America; Second Har-
8 vest food banks PR C -0- -0-”.

9 **70.** Page 262, line 20: delete “personnel.” and substitute “personnel.”.

10 **71.** Page 264, line 1: delete lines 1 to 5.

11 **72.** Page 265, line 9: after “9110 (4);” insert “and”.

12 **73.** Page 265, line 18: after “(10q)” insert “and (17q)”.

13 **74.** Page 265, line 18: delete “section” and substitute “sections”.

14 **75.** Page 272, line 5: after that line insert:

15 “**SECTION 222m.** 20.155 (1) (j) of the statutes is amended to read:

16 20.155 (1) (j) *Intervenor financing and grants.* ~~The Biennially, the~~ amounts in
17 the schedule for intervenor financing and grants under s. 196.31. All moneys
18 received for intervenor financing under s. 196.31 (2) shall be credited to this
19 appropriation.”.

20 **76.** Page 272, line 9: delete “(6).” and substitute “(6).”.

21 **77.** Page 276, line 11: after that line insert:

22 “**SECTION 241m.** 20.255 (2) (bs) of the statutes is amended to read:

1 20.255 (2) (bs) *School district consolidation grants.* ~~The Biennially, the~~
2 amounts in the schedule for grants for school district consolidation feasibility
3 ~~studies, and for grants to school districts that consolidate, under 2007 2009~~
4 ~~Wisconsin Act 20 ... (this act), section 9137 (3k) 9139 (3c).~~ No funds may be
5 encumbered from this appropriation after June 30, ~~2009 2011.~~”.

6 **78.** Page 276, line 11: after that line insert:

7 “**SECTION 244f.** 20.255 (2) (de) of the statutes is created to read:

8 20.255 (2) (de) *School district grants.* The amounts in the schedule for grants
9 to school districts under 2009 Wisconsin Act ... (this act), section 9139 (9i). No money
10 may be encumbered from this appropriation after June 30, 2010.”.

11 **79.** Page 276, line 18: after that line insert:

12 “**SECTION 244rd.** 20.255 (2) (et) of the statutes is created to read:

13 20.255 (2) (et) *Four-year-old kindergarten.* Biennially, the amounts in the
14 schedule for a grant to the Madison Metropolitan School District for 4-year-old
15 kindergarten under 2009 Wisconsin Act ... (this act), section 9139 (9q). No moneys
16 may be encumbered from this appropriation after June 30, 2011.”.

17 **80.** Page 287, line 13: after that line insert:

18 “**SECTION 273s.** 20.370 (4) (ac) of the statutes is created to read:

19 20.370 (4) (ac) *Wisconsin River monitoring and study.* The amounts in the
20 schedule for the Wisconsin River monitoring and study under s. 281.14. No moneys
21 may be encumbered under this paragraph after June 30, 2014.”.

22 **81.** Page 288, line 8: after that line insert:

23 “**SECTION 275fn.** 20.370 (4) (mi) of the statutes is amended to read:

1 20.370 (4) (mi) *General program operations — private and public sources.*
2 From the general fund, all moneys not otherwise appropriated that are received from
3 private or public sources, other than state agencies and the federal government, for
4 facilities, materials or services provided by the department relating to the
5 management of the state’s water resources and the state’s fishery resources and all
6 moneys required under s. 283.31 (8) (b) to be credited to this appropriation to pay for
7 expenses associated with those facilities, materials or services.”.

8 **82.** Page 289, line 2: after that line insert:

9 “**SECTION 276p.** 20.370 (6) (ac) of the statutes is created to read:

10 20.370 (6) (ac) *Lake Koshkonong study.* The amounts in the schedule for the
11 grant for the study of Lake Koshkonong under 2009 Wisconsin Act (this act),
12 section 9137 (6i).”.

13 **83.** Page 289, line 18: delete “grant” and substitute “grant grants”.

14 **84.** Page 289, line 19: after “(5q)” insert “and (6i)”.

15 **85.** Page 294, line 2: after that line insert:

16 “**SECTION 294o.** 20.395 (2) (gr) of the statutes is amended to read:

17 20.395 (2) (gr) *Railroad crossing improvement and protection installation,*
18 *state funds.* As a continuing appropriation, the amounts in the schedule to pay the
19 costs for railroad crossing protection improvements under s. 195.28 (2) and, for the
20 installation of railroad crossing gates under 1999 Wisconsin Act 9, section 9150 (9g),
21 and for the grant under 2009 Wisconsin Act (this act), section 9150 (11f).”.

22 **86.** Page 325, line 19: delete “50.031,” and substitute “50.031,”.

23 **87.** Page 342, line 7: after that line insert:

24 “**SECTION 488h.** 20.437 (2) (fm) of the statutes is created to read:

1 20.437 (2) (fm) *Racine child care pilot program*. The amounts in the schedule
2 for the Racine child care pilot program under 2009 Wisconsin Act (this act), section
3 9108 (7u).”.

4 **88.** Page 348, line 15: after that line insert:

5 “**SECTION 516v.** 20.445 (1) (fr) of the statutes is created to read:

6 20.445 (1) (fr) *Milwaukee Area Workforce Investment Board*. Biennially, the
7 amounts in the schedule for a grant to the Milwaukee Area Workforce Investment
8 Board, Inc., under 2009 Wisconsin Act (this act), section 9156 (2w).

9 **SECTION 516w.** 20.445 (1) (fr) of the statutes, as created by 2009 Wisconsin Act
10 (this act) is repealed.”.

11 **89.** Page 353, line 12: delete lines 12 to 14 and substitute “All moneys
12 transferred to this appropriation account under s. 165.03 (1) for the purpose of
13 making transfers under s. 165.03 (2) (b) and (c).”.

14 **90.** Page 354, line 2: after that line insert:

15 “**SECTION 537c.** 20.455 (5) (g) of the statutes, as affected by 2009 Wisconsin Act
16 (this act), is amended to read:

17 20.455 (5) (g) *Crime victim and witness assistance surcharge, general services*.
18 The amounts in the schedule for purposes of ch. 950. All moneys received from any
19 crime victim and witness assistance surcharge authorized under s. 973.045 (1) that
20 are allocated as ~~part A of the surcharge~~ to this appropriation account under s.
21 973.045 (1r) (a) 1., ~~26 percent of all moneys received from any crime victim and~~
22 ~~witness assistance surcharge authorized under s. 973.045 (1) that are allocated as~~
23 ~~part B of the surcharge under s. 973.045 (1r) (a) 2.~~ (2m) (b), all moneys received from
24 any crime victim and witness assistance surcharge authorized under s. 973.045 (1m),

1 and all moneys received from any delinquency victim and witness assistance
2 surcharge authorized under s. 938.34 (8d) (a) shall be credited to this appropriation
3 account. The department of justice shall transfer from this appropriation account to
4 the appropriation account under par. (kj) the amounts in the schedule under par.
5 (kj).”.

6 **91.** Page 354, line 8: after that line insert:

7 “SECTION 538c. 20.455 (5) (gc) of the statutes, as affected by 2009 Wisconsin
8 Act (this act), is amended to read:

9 20.455 (5) (gc) *Crime victim and witness surcharge, sexual assault victim*
10 *services. ~~Seventy-four percent of all~~ All moneys received from any crime victim and*
11 *witness assistance surcharge authorized under s. 973.045 (1) that are allocated as*
12 *part B of the surcharge to this appropriation account under s. 973.045 (1r) (a) ~~2. (2m)~~*
13 *(a), to provide grants for sexual assault victim services under s. 165.93.”.*

14 **92.** Page 354, line 21: after that line insert:

15 “SECTION 540s. 20.465 (2) (r) of the statutes is created to read:

16 20.465 (2) (r) *Military family relief. All moneys received from the military*
17 *family relief fund for the payment of financial aid to military families under s. 321.45*
18 *and for all of the administrative costs that the department incurs in making those*
19 *payments.”.*

20 **93.** Page 359, line 15: after that line insert:

21 “SECTION 572g. 20.505 (6) (br) of the statutes is created to read:

22 20.505 (6) (br) *Restorative justice. The amounts in the schedule for the grant*
23 *under 2009 Wisconsin Act (this act), section 9101 (13f).*

1 **SECTION 572h.** 20.505 (6) (br) of the statutes, as created by 2009 Wisconsin Act
2 (this act), is repealed.”.

3 **94.** Page 362, line 23: after that line insert:

4 “**SECTION 592t.** 20.515 (1) (bd) of the statutes is created to read:

5 20.515 (1) (bd) *Pension study.* The amounts in the schedule to conduct the
6 study under 2009 Wisconsin Act (this act), section 9115 (2q).

7 **SECTION 592u.** 20.515 (1) (bd) of the statutes, as created by 2009 Wisconsin Act
8 (this act), is repealed.”.

9 **95.** Page 364, line 13: delete “~~regional transit~~ KRM” and substitute
10 “southeastern regional transit”.

11 **96.** Page 365, line 2: after that line insert:

12 “**SECTION 602e.** 20.566 (1) (hp) of the statutes is amended to read:

13 20.566 (1) (hp) *Administration of income tax checkoff voluntary payments.* The
14 amounts in the schedule for the payment of all administrative costs, including data
15 processing costs, incurred in administering ss. 71.10 (5), (5e), (5f), (5fm), (5g), (5h),
16 (5i), (5j), and (5m), and 71.30 (10). All moneys specified for deposit in this
17 appropriation under ss. 71.10 (5) (h) 5., (5e) (h) 4., (5f) (i), (5fm) (i), (5g) (i), (5h) (i),
18 (5i) (i), (5j) (i), and (5m) (i), and 71.30 (10) (i) and (11) (i) shall be credited to this
19 appropriation.”.

20 **97.** Page 365, line 10: delete “profits”.

21 **98.** Page 365, line 11: delete “tax” and substitute “assessment”.

22 **99.** Page 366, line 16: delete “and (q)” and substitute “, (q), and (r)”.

23 **100.** Page 366, line 25: after that line insert:

24 “**SECTION 619d.** 20.835 (1) (r) of the statutes is created to read:

1 20.835 (1) (r) *County and municipal aid account; police and fire protection*
2 *fund.* From the police and fire protection fund, after deducting the amounts
3 appropriated from that fund under s. 20.155 (3) (t), all moneys received from the fees
4 collected under s. 196.025 (6) to make the payments under s. 79.035.”.

5 **101.** Page 368, line 24: delete “~~transit KRM~~” and substitute “Southeastern
6 regional transit”.

7 **102.** Page 369, line 1: delete “~~regional transit KRM~~” and substitute
8 “southeastern regional transit”.

9 **103.** Page 369, line 8: after that line insert:

10 “SECTION 632g. 20.855 (4) (ge) of the statutes is created to read:

11 20.855 (4) (ge) *Feeding America; Second Harvest food banks.* As a continuing
12 appropriation, from moneys received as amounts designated under s. 71.10 (5j) (b),
13 the net amount certified under s. 71.10 (5j) (h) 3. for Second Harvest food banks in
14 Wisconsin that are members of Feeding America.”.

15 **104.** Page 372, line 7: decrease the underscored dollar amount by \$28,069,700
16 to reduce funding for construction of a School of Nursing facility on the University
17 of Wisconsin–Madison campus.

18 **105.** Page 387, line 21: delete the material beginning with that line and
19 ending with page 388, line 13.

20 **106.** Page 392, line 15: after that line insert:

21 “SECTION 665ss. 25.17 (1) (jx) of the statutes is created to read:

22 25.17 (1) (jx) *Military family relief fund (s. 25.38);*”.

23 **107.** Page 392, line 22: after that line insert:

24 “SECTION 668s. 25.38 of the statutes is created to read:

1 **25.38 Military family relief fund.** There is established a separate
2 nonlapsible trust fund designated as the military family relief fund. The fund shall
3 consist of money deposited in the fund under s. 71.10 (5i) (i), together with all
4 donations, gifts, or bequests made to the fund.”.

5 **108.** Page 394, line 12: delete “profits taxes” and substitute “assessments”.

6 **109.** Page 397, line 8: delete lines 8 to 13.

7 **110.** Page 400, line 4: delete lines 4 to 16.

8 **111.** Page 403, line 18: delete “\$11.25” and substitute “\$14.25”.

9 **112.** Page 410, line 17: delete the material beginning with that line and
10 ending with page 411, line 21.

11 **113.** Page 413, line 2: after that line insert:

12 “**SECTION 738d.** 36.11 (32) of the statutes is created to read:

13 36.11 **(32)** NURSING PROGRAM. The board shall plan for the establishment of a
14 bachelor of science nursing program at the University of Wisconsin–Stevens Point.”.

15 **114.** Page 415, line 1: delete the material beginning with that line and ending
16 with page 416, line 22, and substitute:

17 “**SECTION 744d.** 36.27 (3n) (b) (intro.) of the statutes is amended to read:

18 36.27 **(3n)** (b) (intro.) Except as provided in subds. 1. to 3. and par. (bm), the
19 board shall grant full remission of academic fees and segregated fees for 128 credits
20 or 8 semesters, whichever is longer, less the number of credits or semesters for which
21 the person received remission of fees under s. 38.24 (7) and less the amount of any
22 academic fees or segregated fees paid under 38 USC 3319, to any resident student
23 who is also any of the following:

24 **SECTION 745d.** 36.27 (3n) (bm) of the statutes is created to read:

1 36.27 **(3n)** (bm) 1. Before the board of regents may grant a remission of
2 academic fees and segregated fees under par. (b), the board of regents shall require
3 the resident student to apply to the payment of those fees all educational assistance
4 to which the resident student is entitled under 38 USC 3319. This requirement
5 applies notwithstanding the fact that the resident student may be entitled to
6 educational assistance under 10 USC 16132a, 10 USC 16163a, or 38 USC 3500 to
7 3566 as well as under 38 USC 3319, unless the resident student has 12 months or
8 less of eligibility remaining for educational assistance under 10 USC 16132a, 10 USC
9 16163a, or 38 USC 3500 to 3566.

10 2. For a resident student who is entitled to educational assistance under 10
11 USC 16132a, 10 USC 16163a, or 38 USC 3500 to 3566 and under 38 USC 3319, if the
12 amount of educational assistance, not including educational assistance for tuition,
13 to which the resident student is entitled under 10 USC 16132a, 10 USC 16163a, or
14 38 USC 3500 to 3566 is greater than the amount of educational assistance, not
15 including educational assistance for tuition, that the resident student received
16 under 38 USC 3319 for an academic year, as determined by the higher educational
17 aids board, in June of the academic year the higher educational aids board shall
18 reimburse the resident student for the difference in those amounts of educational
19 assistance, as calculated by the higher educational aids board, from the
20 appropriation account under s. 20.235 (1) (fz). The higher educational aids board
21 shall make that determination and calculation in consultation with the board of
22 regents.

23 3. If in any fiscal year there are insufficient moneys available in the
24 appropriation account under s. 20.235 (1) (fz) to provide full reimbursement under
25 subd. 2. to all resident students who are eligible for that reimbursement, the higher

1 educational aids board and the board of regents shall reimburse those resident
2 students as provided in s. 39.50 (4).

3 **SECTION 746d.** 36.27 (3p) (b) of the statutes is amended to read:

4 36.27 (3p) (b) ~~The Except as provided in par. (bm), the~~ board shall grant full
5 remission of nonresident tuition, academic fees, and segregated fees charged for 128
6 credits or 8 semesters, whichever is longer, less the number of credits or semesters
7 for which the person received remission of fees under s. 38.24 (8) and less the amount
8 of any academic fees or segregated fees paid under 10 USC 2107 (c) ~~or~~ 38 USC 3104
9 (a) (7) (A), or 38 USC 3313, to any student who is a veteran.

10 **SECTION 747d.** 36.27 (3p) (bm) of the statutes is created to read:

11 36.27 (3p) (bm) 1. Before the board of regents may grant a remission of
12 nonresident tuition, academic fees, and segregated fees under par. (b), the board
13 shall require the student to apply to the payment of that tuition and those fees all
14 educational assistance to which the student is entitled under 38 USC 3313. This
15 requirement applies notwithstanding the fact that the student may be entitled to
16 educational assistance under 10 USC 16131 to 16137, 10 USC 16161 to 16166, or 38
17 USC 3001 to 3036 as well as under 38 USC 3313, unless the student has 12 months
18 or less of eligibility remaining for educational assistance under 10 USC 16131 to
19 16137, 10 USC 16161 to 16166, or 38 USC 3001 to 3036.

20 2. For a student who is entitled to educational assistance under 10 USC 16131
21 to 16137, 10 USC 16161 to 16166, or 38 USC 3001 to 3036 and under 38 USC 3313,
22 if the amount of educational assistance, not including educational assistance for
23 tuition, to which the student is entitled under 10 USC 16131 to 16137, 10 USC 16161
24 to 16166, or 38 USC 3001 to 3036 is greater than the amount of educational
25 assistance, not including educational assistance for tuition, that the student

1 received under 38 USC 3313 for an academic year, as determined by the higher
2 educational aids board, in June of the academic year the higher educational aids
3 board shall reimburse the student for the difference in those amounts of educational
4 assistance, as calculated by the higher educational aids board, from the
5 appropriation account under s. 20.235 (1) (fz). The higher educational aids board
6 shall make that determination and calculation in consultation with the board of
7 regents.

8 3. If in any fiscal year there are insufficient moneys available in the
9 appropriation account under s. 20.235 (1) (fz) to provide full reimbursement under
10 subd. 2. to all students who are eligible for that reimbursement, the higher
11 educational aids board and the board of regents shall reimburse those students as
12 provided in s. 39.50 (4).”.

13 **115.** Page 419, line 21: delete the material beginning with that line and
14 ending with page 421, line 13, and substitute:

15 “**SECTION 753d.** 38.24 (7) (b) (intro.) of the statutes is amended to read:

16 38.24 (7) (b) (intro.) Except as provided in subds. 1. to 3. and par. (bm), the
17 district board shall grant full remission of fees under sub. (1m) (a) to (c) for 128
18 credits or 8 semesters, whichever is longer, less the number of credits or semesters
19 for which the person received remission of fees from any other district board under
20 this subsection and from the board of regents under s. 36.27 (3n) (b) and less the
21 amount of any fees paid under 38 USC 3319, to any resident student who is also any
22 of the following:

23 **SECTION 754d.** 38.24 (7) (bm) of the statutes is created to read:

1 38.24 (7) (bm) 1. Before the district board may grant a remission of fees under
2 par. (b), the district board shall require the resident student to apply to the payment
3 of those fees all educational assistance to which the resident student is entitled
4 under 38 USC 3319. This requirement applies notwithstanding the fact that the
5 resident student may be entitled to educational assistance under 10 USC 16132a, 10
6 USC 16163a, or 38 USC 3500 to 3566 as well as under 38 USC 3319, unless the
7 resident student has 12 months or less of eligibility remaining for educational
8 assistance under 10 USC 16132a, 10 USC 16163a, or 38 USC 3500 to 3566.

9 2. For a resident student who is entitled to educational assistance under 10
10 USC 16132a, 10 USC 16163a, or 38 USC 3500 to 3566 and under 38 USC 3319, if the
11 amount of educational assistance, other than educational assistance for tuition, to
12 which the resident student is entitled under 10 USC 16132a, 10 USC 16163a, or 38
13 USC 3500 to 3566 is greater than the amount of educational assistance, other than
14 educational assistance for tuition, that the resident student received under 38 USC
15 3319 for an academic year, as determined by the higher educational aids board, in
16 June of the academic year the higher educational aids board shall reimburse the
17 resident student for the difference in those amounts of educational assistance, as
18 calculated by the higher educational aids board, from the appropriation account
19 under s. 20.235 (1) (fz). The higher educational aids board shall make that
20 determination and calculation in consultation with the board and district board.

21 3. If in any fiscal year there are insufficient moneys available in the
22 appropriation account under s. 20.235 (1) (fz) to provide full reimbursement under
23 subd. 2. to all resident students who are eligible for that reimbursement, the higher
24 educational aids board and the district board shall reimburse those resident
25 students as provided in s. 39.50 (4).

1 **SECTION 755d.** 38.24 (8) (b) of the statutes is amended to read:

2 38.24 **(8)** (b) The Except as provided in par. (bm), the district board shall grant
3 full remission of the fees charged under sub. (1m) (a) to (c) for 128 credits or 8
4 semesters, whichever is longer, less the number of credits or semesters for which the
5 person received remission of fees from any other district board under this subsection
6 and from the board of regents under s. 38.27 (3p) and less the amount of any fees paid
7 under 10 USC 2107 (c) or, 38 USC 3104 (a) (7) (A), or 38 USC 3313, to any student
8 who is a veteran.

9 **SECTION 756d.** 38.24 (8) (bm) of the statutes is created to read:

10 38.24 **(8)** (bm) 1. Before the district board may grant a remission of fees under
11 par. (b), the district board shall require the student to apply to the payment of those
12 fees all educational assistance to which the student is entitled under 38 USC 3313.
13 This requirement applies notwithstanding the fact that the student may be entitled
14 to educational assistance under 10 USC 16131 to 16137, 10 USC 16161 to 16166, or
15 38 USC 3001 to 3036 as well as under 38 USC 3313, unless the student has 12 months
16 or less of eligibility remaining for educational assistance under 10 USC 16131 to
17 16137, 10 USC 16161 to 16166, or 38 USC 3001 to 3036.

18 2. For a student who is entitled to educational assistance under 10 USC 16131
19 to 16137, 10 USC 16161 to 16166, or 38 USC 3001 to 3036 and under 38 USC 3313,
20 if the amount of educational assistance, other than educational assistance for
21 tuition, to which the student is entitled under 10 USC 16131 to 16137, 10 USC 16161
22 to 16166, or 38 USC 3001 to 3036 is greater than the amount of educational
23 assistance, other than educational assistance for tuition, that the student received
24 under 38 USC 3313 for an academic year, as determined by the higher educational
25 aids board, in June of the academic year the higher educational aids board shall

1 reimburse the student for the difference in those amounts of educational assistance,
2 as calculated by the higher educational aids board, from the appropriation account
3 under s. 20.235 (1) (fz). The higher educational aids board shall make that
4 determination and calculation in consultation with the board and district board.

5 3. If in any fiscal year there are insufficient moneys available in the
6 appropriation account under s. 20.235 (1) (fz) to provide full reimbursement under
7 subd. 2. to all students who are eligible for that reimbursement, the higher
8 educational aids board and the district board shall reimburse those students as
9 provided in s. 39.50 (4).”.

10 **116.** Page 421, line 20: delete “and” and substitute “or”.

11 **117.** Page 425, line 23: after that line insert:

12 “**SECTION 770j.** 39.50 (3m) (title) of the statutes is amended to read:

13 39.50 (3m) (title) ~~PRORATED~~ REMISSION OF FEES; PRORATED REIMBURSEMENT.

14 **SECTION 770k.** 39.50 (4) of the statutes is created to read:

15 39.50 (4) REIMBURSEMENT OF VETERANS AND DEPENDENTS; PRORATED
16 REIMBURSEMENT. In June of each fiscal year, the higher educational aids board shall
17 determine the total amount of reimbursement due to students under ss. 36.27 (3n)
18 (bm) 2. and (3p) (bm) 2. and 38.24 (7) (bm) 2. and (8) (bm) 2. If the moneys
19 appropriated under s. 20.235 (1) (fz) are not sufficient to provide full reimbursement
20 to those students, the higher educational aids board shall prorate the
21 reimbursement paid to those students under ss. 36.27 (3n) (bm) 2. and (3p) (bm) 2.
22 and 38.24 (7) (bm) 2. and (8) (bm) 2. in the proportion that the moneys available bears
23 to the total amount eligible for reimbursement under ss. 36.27 (3n) (bm) 2. and (3p)
24 (bm) 2. and 38.24 (7) (bm) 2. and (8) (bm) 2. If the higher educational aids board

1 prorates reimbursement under this subsection, the board of regents shall reimburse
2 a student who is eligible for reimbursement under s. 36.27 (3n) (bm) 2. or (3p) (bm)
3 2., and the appropriate technical college district board shall reimburse a student who
4 is eligible for reimbursement under s. 38.24 (7) (bm) 2. or (8) (bm) 2., in an amount
5 that is equal to the difference between the amount of reimbursement for which the
6 student is eligible and the amount of reimbursement paid by the higher educational
7 aids board.”.

8 **118.** Page 428, line 18: after “under s.” insert “66.1038 or”.

9 **119.** Page 429, line 5: after “under s.” insert “66.1038 or”.

10 **120.** Page 429, line 9: delete lines 9 to 20.

11 **121.** Page 434, line 10: delete the material beginning with that line and
12 ending with page 435, line 15.

13 **122.** Page 436, line 3: delete lines 3 to 12.

14 **123.** Page 452, line 24: delete “\$1,296,500 in each fiscal year and,” and
15 substitute “\$1,365,500 in each fiscal year and,”.

16 **124.** Page 453, line 2: delete “2010–11, and” and substitute “2010–11.”.

17 **125.** Page 453, line 3: delete lines 3 to 5 and substitute “for services for
18 juveniles placed at the Mendota”.

19 **126.** Page 459, line 14: delete “benefit.” and substitute “benefit.”.

20 **127.** Page 459, line 16: delete “year.” and substitute “year or who participates
21 in the self-directed services option, which is operated under a waiver from the
22 secretary of the federal department of health and human services under 42 USC
23 1396n (c).”.

1 **128.** Page 463, line 17: after that line insert:

2 “**SECTION 883x.** 46.2897 of the statutes is created to read:

3 **46.2897 Self-directed services option; advocacy services.** The
4 department shall allow a participant in the self-directed services option that is
5 operated under a waiver from the secretary of the federal department of health and
6 human services under 42 USC 1396n (c) to access the advocacy services contracted
7 for by the department under s. 46.281 (1n) (e).”.

8 **129.** Page 527, line 3: delete “48.658” and substitute “48.659”.

9 **130.** Page 527, line 4: delete “**48.658**” and substitute “**48.659**”.

10 **131.** Page 529, line 2: delete “and treatment foster parents”.

11 **132.** Page 529, line 4: delete “or treatment foster care”.

12 **133.** Page 621, line 13: after that line insert:

13 “**SECTION 1317n.** 49.45 (60) of the statutes is created to read:

14 **49.45 (60) DENTAL SERVICES IN SOUTHEASTERN WISCONSIN.** Beginning on January
15 1, 2010, the department shall provide dental benefits under this subchapter in
16 Kenosha, Milwaukee, Racine, and Waukesha counties on a fee-for-service basis.”.

17 **134.** Page 635, line 14: delete “2009–10” and substitute “2009–11”.

18 **135.** Page 640, line 17: delete the material beginning with that line and
19 ending with page 642, line 11.

20 **136.** Page 671, line 22: delete the material beginning with that line and
21 ending with page 672, line 4.

22 **137.** Page 672, line 11: delete “KRM” and substitute “southeastern regional
23 transit”.

1 **138.** Page 672, line 17: delete “KRM” and substitute “SOUTHEASTERN REGIONAL
2 TRANSIT”.

3 **139.** Page 672, line 18: on lines 18 and 23, delete “KRM” and substitute
4 “southeastern regional transit”.

5 **140.** Page 673, line 14: delete “county executive of”.

6 **141.** Page 673, line 15: after “County” insert “board chairperson”.

7 **142.** Page 673, line 23: after “Milwaukee” insert “and a stop at the
8 intersection of Lincoln Avenue and Bay Street in the city of Milwaukee”.

9 **143.** Page 673, line 23: after that line insert:

10 “(dm) A KRM commuter rail line may not include a stop in any municipality
11 in the counties of Racine and Kenosha, other than in the city of Racine or the city of
12 Kenosha, unless the municipality in which the stop is to be located provides for a
13 sustainable mechanism to generate additional moneys for transit systems receiving
14 funding under s. 85.20 that operate in Kenosha County or Racine County, as
15 applicable.”.

16 **144.** Page 673, line 24: after “77.” insert “From these fees, the authority shall
17 transfer \$1 for each transaction to each of the cities of Racine and Kenosha, to
18 support their respective transit systems, if each city, respectively, demonstrates that
19 it has established a new funding source sufficient to generate revenues equal to or
20 greater than the amounts to be transferred to each city under this subdivision. From
21 the remaining fees, the authority may do all of the following:”.

22 **145.** Page 673, line 24: after that line insert:

1 “1. Retain not more than \$2 for each transaction for administration of the
2 authority.

3 2. Retain the difference between the amount of the fees imposed under subch.
4 XIII of ch. 77 and the amount of those fees transferred under this paragraph or
5 retained under subd. 1. for expenditures related to the KRM commuter rail line,
6 including planning, construction, maintenance, operations, and engineering
7 expenditures.”.

8 **146.** Page 675, line 22: after that line insert:

9 “(i) The authority is the only entity in the counties of Milwaukee, Racine, and
10 Kenosha that may submit an application to the federal transit administration in the
11 U.S. department of transportation. If the Milwaukee Transit Authority under s.
12 66.1038, or the operator of any transit system in Kenosha County or Racine County
13 receiving funding under s. 85.20, develops a plan for a transit project that requires
14 approval of the federal transit administration, that plan and the federal funding
15 application relating to the project shall be submitted to the southeastern regional
16 transit authority and may not be submitted directly to the federal transit
17 administration.”.

18 **147.** Page 696, line 10: delete “**4471m**” and substitute “**1471m**”.

19 **148.** Page 699, line 24: after “66.1039” insert “, the Milwaukee Transit
20 Authority created under s. 66.1038, and the southeastern regional transit authority
21 created under s. 59.58 (7)”.

22 **149.** Page 720, line 11: after that line insert:

23 “**SECTION 1487t.** 66.1038 of the statutes is created to read:

1 **66.1038 Milwaukee Transit Authority. (1) DEFINITIONS.** In this section,
2 “authority” means the Milwaukee Transit Authority created under this section.

3 **(2) CREATION.** (a) There is created the Milwaukee Transit Authority, a public
4 body corporate and politic and a separate governmental entity. The authority may
5 transact business and exercise any powers granted to it under this section. The
6 jurisdictional area of this authority is the geographic area formed by the territorial
7 boundaries of Milwaukee County.

8 (b) The Milwaukee County board, by resolution by a majority vote, may
9 authorize Milwaukee County to be a member of the authority.

10 **(3) GOVERNANCE.** (a) The powers of the authority shall be vested in its board
11 of directors. Directors shall be appointed for 2–year terms. A majority of the board
12 of directors’ full authorized membership constitutes a quorum for the purpose of
13 conducting the authority’s business and exercising its powers. Action may be taken
14 by the board of directors upon a vote of a majority of the directors present and voting,
15 unless the bylaws of the authority require a larger number.

16 (b) The board of directors of the authority consists of the following members:

17 1. Two members from Milwaukee County, appointed by the Milwaukee County
18 board chairperson.

19 2. Two members from Milwaukee County, appointed by the mayor of the city
20 of Milwaukee.

21 3. One member from Milwaukee County, appointed by the governor.

22 (c) The bylaws of the authority shall govern its management, operations, and
23 administration, consistent with the provisions of this section.

24 **(4) POWERS.** (a) Notwithstanding s. 59.84 (2) and any other provision of this
25 chapter or ch. 59 or 85, but subject to sub. (5), the authority may contract with

1 Milwaukee County for the authority's provision of transit services within Milwaukee
2 County. The authority shall have all powers necessary and convenient to carry out
3 this purpose. The authority's powers shall be limited to those specified in this
4 subsection and sub. (5).

5 **(5) RECEIPT OF TAX REVENUES.** (a) Subject to par. (b), the authority may receive
6 the tax revenues authorized under s. 77.70 (2).

7 (b) Milwaukee County may impose the taxes under s. 77.70 (2) if all of the
8 following apply:

9 1. The Milwaukee County board adopts a resolution under sub. (2) (b) to become
10 a member of the authority.

11 2. The Milwaukee County board contracts with the authority for the authority
12 to provide transit services in Milwaukee County.

13 **(6) BUDGETS; REVENUES; AUDIT.** The board of directors of the authority shall
14 annually prepare a budget for the authority. Revenues of the authority shall be used
15 only for the expenses and specific purposes of the authority. The authority shall
16 maintain an accounting system in accordance with generally accepted accounting
17 principles and shall have its financial statements audited annually by an
18 independent certified public accountant.

19 **(7) OTHER STATUTES.** This section does not limit the powers of political
20 subdivisions to enter into intergovernmental cooperation or contracts or to establish
21 separate legal entities under s. 66.0301 or 66.1021 or any other applicable law, or
22 otherwise to carry out their powers under applicable statutory provisions. Section
23 66.0803 (2) does not apply to the authority.”.

24 **150.** Page 721, line 20: delete lines 20 to 25.

1 **151.** Page 722, line 1: before “(b)” insert “**(2)** CREATION OF TRANSIT
2 AUTHORITIES.”.

3 **152.** Page 723, line 4: after that line insert:

4 “(c) *Chippewa Valley regional transit authority.* 1. The Chippewa Valley
5 regional transit authority, a public body corporate and politic and a separate
6 governmental entity, is created if the governing body of Eau Claire County adopts a
7 resolution authorizing the county to become a member of the authority and the
8 resolution is ratified by the electors at a referendum held in Eau Claire County. Once
9 created, this authority may transact business and exercise any powers granted to it
10 under this section.

11 2. If an authority is created under subd. 1., any municipality located in whole
12 or in part within Eau Claire County shall be a member of the authority.

13 3. After an authority is created under subd. 1., Chippewa County may join the
14 authority created under subd. 1. if the governing body of Chippewa County adopts
15 a resolution to join the authority and the resolution is ratified by the electors at a
16 referendum held in Chippewa County.

17 4. If Chippewa County joins an authority as provided in subd. 3., any
18 municipality located in whole or in part within Chippewa County shall be a member
19 of the authority.

20 5. The jurisdictional area of the authority created under this subsection is the
21 territorial boundaries of Eau Claire County or, if Chippewa County also joins the
22 authority as provided in subd. 3., the combined territorial boundaries of Eau Claire
23 County and Chippewa County.

1 (d) *Fox Valley regional transit authority.* 1. The Fox Valley regional transit
2 authority, a public body corporate and politic and a separate governmental entity, is
3 created if the governing bodies of the counties of Outagamie, Calumet, and
4 Winnebago each adopt a resolution authorizing that county to become a member of
5 the authority and each resolution is ratified by the electors at a referendum held in
6 each county. Once created, this authority shall consist of the counties of Outagamie,
7 Calumet, and Winnebago and any municipality located in whole or in part within
8 these counties. Once created, this authority may transact business and exercise any
9 powers granted to it under this section.

10 2. The jurisdictional area of the authority created under this subsection is the
11 combined territorial boundaries of the counties of Outagamie, Calumet, and
12 Winnebago.”.

13 **153.** Page 723, line 6: delete the material beginning with “terms,” and ending
14 with “2–year” on line 7.

15 **154.** Page 723, line 12: delete lines 12 to 18.

16 **155.** Page 724, line 5: after that line insert:

17 “(d) 1. If an authority is created under sub. (2) (c), the board of directors of the
18 authority shall be determined by resolution of the governing body of Eau Claire
19 County or, if Chippewa County also joins the authority as provided in sub. (2) (c) 3.,
20 by resolution of the governing bodies of Eau Claire County and Chippewa County,
21 except that all of the following shall apply:

22 a. The board of directors shall consist of not more than 17 members.

23 b. The board of directors shall include at least 3 members from Eau Claire
24 County, appointed by the county executive and approved by the county board.

1 c. If Chippewa County joins the authority as provided in sub. (2) (c) 3., the board
2 of directors shall include at least 3 members from Chippewa County, appointed by
3 the county executive and approved by the county board.

4 d. The board of directors shall include at least one member from the most
5 populous city of each county that is a member, appointed by the mayor of the city and
6 approved by the common council of the city.

7 e. The board of directors shall include at least one member from the authority's
8 jurisdictional area, appointed by the governor.

9 2. If Chippewa County joins the authority as provided in sub. (2) (c) 3. and the
10 governing bodies of Eau Claire County and Chippewa County are unable to agree
11 upon a composition of the board of directors as specified in subd. 1., the board of
12 directors of the authority shall be limited to the minimum members specified in subd.
13 1. b. to e.

14 (e) 1. If an authority is created under sub. (2) (d), the board of directors of the
15 authority shall be determined by resolution of the governing bodies of the counties
16 of Outagamie, Calumet, and Winnebago, except that all of the following shall apply:

17 a. The board of directors shall consist of not more than 17 members.

18 b. The board of directors shall include at least 2 members each from the
19 counties of Outagamie, Calumet, and Winnebago, appointed by the county executive
20 and approved by the county board.

21 c. The board of directors shall include at least 2 members from the city of
22 Appleton, appointed by the mayor and approved by the common council.

23 d. The board of directors shall include at least one member from the authority's
24 jurisdictional area, appointed by the governor.

1 2. If the governing bodies of the counties of Outagamie, Calumet, and
2 Winnebago are unable to agree upon a composition of the board of directors as
3 specified in subd. 1., the board of directors of the authority shall be limited to the
4 minimum members specified in subd. 1. b. to d.”.

5 **156.** Page 724, line 12: after that line insert:

6 “4. The composition of the board of directors of the authority, as determined
7 under par. (d).”.

8 **157.** Page 724, line 12: after that line insert:

9 “5. The composition of the board of directors of the authority, as determined
10 under par. (e).”.

11 **158.** Page 728, line 8: after that line insert:

12 “3. Notwithstanding subd. 1., an authority created under sub. (2) (c) may not
13 impose the taxes authorized under subd. 1. unless the authorizing resolution under
14 sub. (2) (c) 1. and, if applicable, sub. (2) (c) 3., as well as the referendum question on
15 the referendum ballot specified in sub. (2) (c) 1. and, if applicable, sub. (2) (c) 3.,
16 clearly identifies the maximum rate of the taxes that may be imposed by the
17 authority under subd. 1.”.

18 **159.** Page 728, line 8: after that line insert:

19 “4. Notwithstanding subd. 1., an authority created under sub. (2) (d) may not
20 impose the taxes authorized under subd. 1. unless the authorizing resolution under
21 sub. (2) (d) 1., as well as the referendum question on the referendum ballot specified
22 in sub. (2) (d) 1., clearly identifies the maximum rate of the taxes that may be imposed
23 by the authority under subd. 1.”.

24 **160.** Page 728, line 9: delete lines 9 to 11.

1 **161.** Page 729, line 3: delete “subs. (4) and (4m),” and substitute “sub. (4),”.

2 **162.** Page 734, line 13: delete the material beginning with “Except” and
3 ending with “rates” on line 14 and substitute “Rates”.

4 **163.** Page 734, line 22: before “joined” insert “becomes a member of an
5 authority under sub. (2) (c) 4. shall withdraw from the authority if the county in
6 which the municipality is located withdraws from the authority under this
7 subsection and a participating political subdivision that”.

8 **164.** Page 734, line 22: after “3.” insert “or (c) 3.”.

9 **165.** Page 735, line 13: delete lines 13 to 21.

10 **166.** Page 735, line 21: after that line insert:

11 “(15m) DANE COUNTY HIGHWAY PROJECTS. An authority created under sub. (2)
12 (b) may transfer revenues from taxes imposed by the authority under sub. (4) (s) to
13 any political subdivision within the authority’s jurisdictional area to fund highway
14 projects within the authority’s jurisdictional area. If any transfer is made under this
15 subsection, the authority’s board shall determine the recipients and amounts of all
16 such transfers.”.

17 **167.** Page 746, line 25: delete “subs. (4) (b), (4a) (f), and (4d)” and substitute
18 “sub. (3m) (c)”.

19 **168.** Page 747, line 14: delete “s. 66.1039.” and substitute “s. 66.1038 or
20 66.1039.”.

21 **169.** Page 747, line 24: after that line insert:

22 “**SECTION 1516c.** 70.11 (3m) of the statutes is created to read:

1 70.11 **(3m)** STUDENT HOUSING FACILITIES. (a) All real and personal property of
2 a housing facility for which all of the following applies:

3 1. The facility is owned by a nonprofit organization.

4 2. At least 90 percent of the facility’s residents are students enrolled at a public
5 or private institution of higher education and the facility houses no more than 300
6 such students.

7 3. The facility offers support services and outreach programs to its residents,
8 the public or private institution of higher education at which the student residents
9 are enrolled, and the public.

10 (b) If a nonprofit organization owns more than one housing facility, as described
11 under par. (a), the exemption applies to only one facility, at one location.

12 (c) Leasing a part of the property described in this subsection does not render
13 it taxable if the lessor uses the leasehold income only for the following:

14 1. Maintenance of the leased property.

15 2. Construction debt retirement of the leased property.

16 3. The purposes for which the exemption under section 501 (c) (3) of the Internal
17 Revenue Code is granted to the nonprofit organization that owns the facility.”.

18 **170.** Page 748, line 1: delete the material beginning with that line and ending
19 with page 753, line 5.

20 **171.** Page 772, line 18: delete “KRM” and substitute “southeastern regional
21 transit”.

22 **172.** Page 782, line 2: delete “2011” and substitute “2009”.

23 **173.** Page 782, line 20: after that line insert:

1 “3. The maximum amount of credits that may be awarded under this subsection
2 and ss. 71.28 (3q) and 71.47 (3q) for the period beginning on January 1, 2010, and
3 ending on June 30, 2013, is \$14,500,000.”.

4 **174.** Page 783, line 2: after “(bb)” insert “, except that the amounts certified
5 under this subdivision for taxable years beginning after December 31, 2009, and
6 before January 1, 2012, shall be paid in taxable years beginning after December 31,
7 2011”.

8 **175.** Page 783, line 5: after that line insert:

9 “**SECTION 1571d.** 71.07 (3w) (bm) 1. of the statutes, as affected by 2009
10 Wisconsin Act 11, is amended to read:

11 71.07 (**3w**) (bm) 1. In addition to the credits under par. (b) and ~~subd.~~ subds. 2.
12 and 3., and subject to the limitations provided in this subsection and s. 560.799, a
13 claimant may claim as a credit against the tax imposed under s. 71.02 or 71.08 an
14 amount equal to a percentage, as determined by the department of commerce, not
15 to exceed 100 percent, of the amount the claimant paid in the taxable year to upgrade
16 or improve the job-related skills of any of the claimant’s full-time employees, to train
17 any of the claimant’s full-time employees on the use of job-related new technologies,
18 or to provide job-related training to any full-time employee whose employment with
19 the claimant represents the employee’s first full-time job. This subdivision does not
20 apply to employees who do not work in an enterprise zone.

21 **SECTION 1571e.** 71.07 (3w) (bm) 2. of the statutes, as created by 2009 Wisconsin
22 Act 11, is amended to read:

23 71.07 (**3w**) (bm) 2. In addition to the credits under par. (b) and ~~subd.~~ subds. 1.
24 and 3., and subject to the limitations provided in this subsection and s. 560.799, a

1 claimant may claim as a credit against the tax imposed under s. 71.02 or 71.08 an
2 amount equal to the percentage, as determined by the department of commerce
3 under s. 560.799, not to exceed 7 percent, of the claimant’s zone payroll paid in the
4 taxable year to all of the claimant’s full-time employees whose annual wages are
5 greater than \$20,000 in a tier I county or municipality, not including the wages paid
6 to the employees determined under par. (b) 1., or greater than \$30,000 in a tier II
7 county or municipality, not including the wages paid to the employees determined
8 under par. (b) 1., and who the claimant employed in the enterprise zone in the taxable
9 year, if the total number of such employees is equal to or greater than the total
10 number of such employees in the base year. A claimant may claim a credit under this
11 subdivision for no more than 5 consecutive taxable years.

12 **SECTION 1571f.** 71.07 (3w) (bm) 3. of the statutes is created to read:

13 71.07 (3w) (bm) 3. In addition to the credits under par. (b) and subds. 1. and
14 2., and subject to the limitations provided in this subsection and s. 560.799, for
15 taxable years beginning after December 31, 2008, a claimant may claim as a credit
16 against the tax imposed under s. 71.02 or 71.08 up to 10 percent of the claimant’s
17 significant capital expenditures, as determined by the department of commerce
18 under s. 560.799 (5m).

19 **SECTION 1571g.** 71.07 (3w) (c) 3. of the statutes is amended to read:

20 71.07 (3w) (c) 3. No credit may be allowed under this subsection unless the
21 claimant includes with the claimant’s return a copy of the claimant’s certification for
22 tax benefits under s. 560.799 (5) or (5m).”.

23 **176.** Page 797, line 6: after that line insert:

24 **“SECTION 1593g.** 71.10 (5j) of the statutes is created to read:

1 71.10 (5j) FEEDING AMERICA; SECOND HARVEST FOOD BANKS CHECKOFF. (a)

2 *Definitions.* In this subsection:

3 1. “Department” means the department of revenue.

4 2. “Second Harvest” means Second Harvest food banks in Wisconsin that are
5 members of Feeding America.

6 (b) *Voluntary payments.* 1. ‘Designation on return.’ Every individual filing an
7 income tax return who has a tax liability or is entitled to a tax refund may designate
8 on the return any amount of additional payment or any amount of a refund due that
9 individual for Second Harvest.

10 2. ‘Designation added to tax owed.’ If the individual owes any tax, the
11 individual shall remit in full the tax due and the amount designated on the return
12 for Second Harvest when the individual files a tax return.

13 3. ‘Designation deducted from refund.’ Except as provided in par. (d), if the
14 individual is owed a refund for that year after crediting under ss. 71.75 (9) and 71.80
15 (3) and (3m), the department shall deduct the amount designated on the return for
16 Second Harvest from the amount of the refund.

17 (c) *Errors; failure to remit correct amount.* If an individual who owes taxes fails
18 to remit an amount equal to or in excess of the total of the actual tax due, after error
19 corrections, and the amount designated on the return for Second Harvest:

20 1. The department shall reduce the designation for Second Harvest to reflect
21 the amount remitted in excess of the actual tax due, after error corrections, if the
22 individual remitted an amount in excess of the actual tax due, after error corrections,
23 but less than the total of the actual tax due, after error corrections, and the amount
24 originally designated on the return for Second Harvest.

1 2. The designation for Second Harvest is void if the individual remitted an
2 amount equal to or less than the actual tax due, after error corrections.

3 (d) *Errors; insufficient refund.* If an individual is owed a refund that does not
4 equal or exceed the amount designated on the return for Second Harvest, after
5 crediting under ss. 71.75 (9) and 71.80 (3) and (3m) and after error corrections, the
6 department shall reduce the designation for Second Harvest to reflect the actual
7 amount of the refund that the individual is otherwise owed, after crediting under ss.
8 71.75 (9) and 71.80 (3) and (3m) and after error corrections.

9 (e) *Conditions.* If an individual places any conditions on a designation for
10 Second Harvest, the designation is void.

11 (f) *Void designation.* If a designation for Second Harvest is void, the
12 department shall disregard the designation and determine amounts due, owed,
13 refunded, and received without regard to the void designation.

14 (g) *Tax return.* The secretary of revenue shall provide a place for the
15 designations under this subsection on the individual income tax return.

16 (h) *Certification of amounts.* Annually, on or before September 15, the
17 secretary of revenue shall certify to the department of administration and the state
18 treasurer all of the following:

19 1. The total amount of the administrative costs, including data processing
20 costs, incurred by the department in administering this subsection during the
21 previous fiscal year.

22 2. The total amount received from all designations for Second Harvest made
23 by taxpayers during the previous fiscal year.

1 3. The net amount remaining after the administrative costs, including data
2 processing costs, under subd. 1. are subtracted from the total received under subd.
3 2.

4 (i) *Appropriations.* From the moneys received from designations for Second
5 Harvest, an amount equal to the sum of administrative expenses, including data
6 processing costs, certified under par. (h) 1. shall be deposited in the general fund and
7 credited to the appropriation account under s. 20.566 (1) (hp), and the department
8 shall annually pay the following percentages of the net amount remaining that is
9 certified under par. (h) 3. from the appropriation under s. 20.855 (4) (ge):

- 10 1. Sixty–five percent to Second Harvest that is located in the city of Milwaukee.
- 11 2. Twenty percent to Second Harvest that is located in the city of Madison.
- 12 3. Fifteen percent to Second Harvest that is located in the city of Eau Claire.

13 (j) *Amounts subject to refund.* Amounts designated for Second Harvest under
14 this subsection are not subject to refund to the taxpayer unless the taxpayer submits
15 information to the satisfaction of the department, within 18 months after the date
16 on which the taxes are due or the date on which the return is filed, whichever is later,
17 that the amount designated is clearly in error. Any refund granted by the
18 department under this paragraph shall be deducted from the moneys received under
19 this subsection in the fiscal year for which the refund is certified.”.

20 **177.** Page 797, line 6: after that line insert:

21 “**SECTION 1593e.** 71.10 (5i) of the statutes is created to read:

22 71.10 **(5i)** MILITARY FAMILY RELIEF FUND CHECKOFF. (a) *Definitions.* In this
23 subsection:

- 24 1. “Department” means the department of revenue.

1 2. “Military family relief fund” means the fund under s. 25.38.

2 (b) *Voluntary payments.* 1. ‘Designation on return.’ Every individual filing an
3 income tax return who has a tax liability or is entitled to a tax refund may designate
4 on the return any amount of additional payment or any amount of a refund due that
5 individual for the military family relief fund.

6 2. ‘Designation added to tax owed.’ If the individual owes any tax, the
7 individual shall remit in full the tax due and the amount designated on the return
8 for the military family relief fund when the individual files a tax return.

9 3. ‘Designation deducted from refund.’ Except as provided in par. (d), if the
10 individual is owed a refund for that year after crediting under ss. 71.75 (9) and 71.80
11 (3) and (3m), the department shall deduct the amount designated on the return for
12 the military family relief fund from the amount of the refund.

13 (c) *Errors; failure to remit correct amount.* If an individual who owes taxes fails
14 to remit an amount equal to or in excess of the total of the actual tax due, after error
15 corrections, and the amount designated on the return for the military family relief
16 fund:

17 1. The department shall reduce the designation for the military family relief
18 fund to reflect the amount remitted in excess of the actual tax due, after error
19 corrections, if the individual remitted an amount in excess of the actual tax due, after
20 error corrections, but less than the total of the actual tax due, after error corrections,
21 and the amount originally designated on the return for the military family relief
22 fund.

23 2. The designation for the military family relief fund is void if the individual
24 remitted an amount equal to or less than the actual tax due, after error corrections.

1 (d) *Errors; insufficient refund.* If an individual is owed a refund that does not
2 equal or exceed the amount designated on the return for the military family relief
3 fund, after crediting under ss. 71.75 (9) and 71.80 (3) and (3m) and after error
4 corrections, the department shall reduce the designation for the military family
5 relief fund to reflect the actual amount of the refund that the individual is otherwise
6 owed, after crediting under ss. 71.75 (9) and 71.80 (3) and (3m) and after error
7 corrections.

8 (e) *Conditions.* If an individual places any conditions on a designation for the
9 military family relief fund, the designation is void.

10 (f) *Void designation.* If a designation for the military family relief fund is void,
11 the department shall disregard the designation and determine amounts due, owed,
12 refunded, and received without regard to the void designation.

13 (g) *Tax return.* The secretary of revenue shall provide a place for the
14 designations under this subsection on the individual income tax return.

15 (h) *Certification of amounts.* Annually, on or before September 15, the
16 secretary of revenue shall certify to the department of military affairs, the
17 department of administration, and the state treasurer all of the following:

18 1. The total amount of the administrative costs, including data processing
19 costs, incurred by the department in administering this subsection during the
20 previous fiscal year.

21 2. The total amount received from all designations for the military family relief
22 fund made by taxpayers during the previous fiscal year.

23 3. The net amount remaining after the administrative costs, including data
24 processing costs, under subd. 1. are subtracted from the total received under subd.

25 2.

1 (i) *Appropriations.* From the moneys received from designations for the
2 military family relief fund, an amount equal to the sum of administrative expenses,
3 including data processing costs, certified under par. (h) 1. shall be deposited in the
4 general fund and credited to the appropriation account under s. 20.566 (1) (hp), and
5 the net amount remaining that is certified under par. (h) 3. shall be deposited in the
6 military family relief fund and credited to the appropriation under s. 20.465 (2) (r).

7 (j) *Amounts subject to refund.* Amounts designated for the military family relief
8 fund under this subsection are not subject to refund to the taxpayer unless the
9 taxpayer submits information to the satisfaction of the department, within 18
10 months after the date on which the taxes are due or the date on which the return is
11 filed, whichever is later, that the amount designated is clearly in error. Any refund
12 granted by the department under this paragraph shall be deducted from the moneys
13 received under this subsection in the fiscal year for which the refund is certified.”.

14 **178.** Page 836, line 25: after that line insert:

15 “**SECTION 1621eb.** 71.255 (2m) of the statutes is created to read:

16 71.255 **(2m)** ELECTION TO INCLUDE EVERY MEMBER OF COMMONLY CONTROLLED
17 GROUP. (a) The designated agent as provided in sub. (7) may elect, without first
18 obtaining written approval from the department, to include in its combined group
19 every corporation in its commonly controlled group, regardless of whether such
20 corporations are engaged in the same unitary business as the designated agent.
21 Corporations included in the combined group by operation of this election are
22 required to use combined reporting only to the extent described in sub. (2). The
23 commonly controlled group shall calculate its Wisconsin income and apportionment
24 factors as provided under subs. (3), (4), and (5), and all income of all members of the

1 commonly controlled group, whether or not such income would otherwise be subject
2 to apportionment or allocable to a particular state in the absence of an election under
3 this subsection, shall be treated as apportionable income for purposes of the
4 combined report.

5 (b) The election under this subsection shall be executed by the designated agent
6 on an original, timely filed combined report. Any corporation that becomes
7 includable in the commonly controlled group subsequent to the year of election shall
8 have waived any objection to its inclusion in the combined report.

9 (c) An election under this subsection shall be binding for and applicable to the
10 taxable year for which it is made and for the next 9 taxable years. An election may
11 be renewed for another 10 taxable years, without prior written approval from the
12 department after it has been in effect for 10 taxable years. The renewal shall be made
13 on an original, timely filed return for the first taxable year after the completion of
14 a 10–year period for which an election under this subsection was in place. An election
15 that is not renewed shall be revoked. In the case of a revocation, a new election under
16 this subsection shall not be permitted in any of the immediately following 3 taxable
17 years.

18 (d) The department shall disregard the tax effect of an election under this
19 subsection, or disallow the election, with respect to any controlled group member or
20 members for any year of the election period, if the department determines that the
21 election has the effect of tax avoidance.”.

22 **179.** Page 838, line 5: after that line insert:

23 “**SECTION 1621km.** 71.255 (6) (a) of the statutes, as created by 2009 Wisconsin
24 Act 2, is amended to read:

1 71.255 (6) (a) Except as provided in ~~par.~~ pars. (b) and (c), no tax credit,
2 Wisconsin net business loss carry-forward, or other post-apportionment deduction
3 earned by one member of the combined group, but not fully used by or allowed to that
4 member, may be used in whole or in part by another member of the combined group
5 or applied in whole or in part against the total income of the combined group. A
6 member of a combined group may use a carry-forward of a credit, Wisconsin net
7 business loss carry-forward, or other post-apportionment deduction otherwise
8 allowable under s. 71.26 or 71.45, that was incurred by that same member in a
9 taxable year beginning before ~~March 6~~ January 1, 2009.”.

10 **180.** Page 838, line 20: after that line insert:

11 “**SECTION 1621Ld.** 71.255 (6) (c) of the statutes is created to read:

12 71.255 (6) (c) 1. Subject to the limitations provided under s. 71.26 (3) (n), for
13 each taxable year that a corporation that is a member of a combined group has an
14 unused credit or credit carry-forward under s. 71.28 (4) or (5) or 71.47 (4) or (5), the
15 corporation may, after using that credit or credit carry-forward to offset its own tax
16 liability for the taxable year, use that credit or credit carry-forward to offset the tax
17 liability of all other members of the combined group on a proportionate basis, to the
18 extent such tax liability is attributable to the unitary business.

19 2. Unless otherwise provided by the department by rule, if the corporation may
20 no longer be included in the combined group, as determined by this section, the
21 corporation’s unused credits shall be available only to that corporation.”.

22 **181.** Page 839, line 24: after “under s.” insert “66.1038 or”.

23 **182.** Page 887, line 2: delete “2011” and substitute “2009”.

24 **183.** Page 887, line 20: after that line insert:

1 “3. The maximum amount of credits that may be awarded under this subsection
2 and ss. 71.07 (3q) and 71.47 (3q) for the period beginning on January 1, 2010, and
3 ending on June 30, 2013, is \$14,500,000.”.

4 **184.** Page 888, line 2: after “(bb)” insert “, except that the amounts certified
5 under this subdivision for taxable years beginning after December 31, 2009, and
6 before January 1, 2012, shall be paid in taxable years beginning after December 31,
7 2011”.

8 **185.** Page 888, line 2: after that line insert:

9 “**SECTION 1655m.** 71.28 (3w) (bm) 1. of the statutes, as affected by 2009
10 Wisconsin Act 11, is amended to read:

11 71.28 (3w) (bm) 1. In addition to the credits under par. (b) and ~~subd.~~ subds. 2.
12 and 3., and subject to the limitations provided in this subsection and s. 560.799, a
13 claimant may claim as a credit against the tax imposed under s. 71.23 an amount
14 equal to a percentage, as determined by the department of commerce, not to exceed
15 100 percent, of the amount the claimant paid in the taxable year to upgrade or
16 improve the job-related skills of any of the claimant’s full-time employees, to train
17 any of the claimant’s full-time employees on the use of job-related new technologies,
18 or to provide job-related training to any full-time employee whose employment with
19 the claimant represents the employee’s first full-time job. This subdivision does not
20 apply to employees who do not work in an enterprise zone.

21 **SECTION 1655n.** 71.28 (3w) (bm) 2. of the statutes, as created by 2009 Wisconsin
22 Act 11, is amended to read:

23 71.28 (3w) (bm) 2. In addition to the credits under par. (b) and ~~subd.~~ subds. 1.
24 and 3., and subject to the limitations provided in this subsection and s. 560.799, a

1 claimant may claim as a credit against the tax imposed under s. 71.23 an amount
2 equal to the percentage, as determined by the department of commerce under s.
3 560.799, not to exceed 7 percent, of the claimant's zone payroll paid in the taxable
4 year to all of the claimant's full-time employees whose annual wages are greater
5 than \$20,000 in a tier I county or municipality, not including the wages paid to the
6 employees determined under par. (b) 1., or greater than \$30,000 in a tier II county
7 or municipality, not including the wages paid to the employees determined under
8 par. (b) 1., and who the claimant employed in the enterprise zone in the taxable year,
9 if the total number of such employees is equal to or greater than the total number
10 of such employees in the base year. A claimant may claim a credit under this
11 subdivision for no more than 5 consecutive taxable years.

12 **SECTION 1655p.** 71.28 (3w) (bm) 3. of the statutes is created to read:

13 71.28 (3w) (bm) 3. In addition to the credits under par. (b) and subds. 1. and
14 2., and subject to the limitations provided in this subsection and s. 560.799, for
15 taxable years beginning after December 31, 2008, a claimant may claim as a credit
16 against the tax imposed under s. 71.23 up to 10 percent of the claimant's significant
17 capital expenditures, as determined by the department of commerce under s.
18 560.799 (5m).

19 **SECTION 1655r.** 71.28 (3w) (c) 3. of the statutes is amended to read:

20 71.28 (3w) (c) 3. No credit may be allowed under this subsection unless the
21 claimant includes with the claimant's return a copy of the claimant's certification for
22 tax benefits under s. 560.799 (5) or (5m).”.

23 **186.** Page 940, line 20: delete “2011” and substitute “2009”.

24 **187.** Page 941, line 14: after that line insert:

1 “3. The maximum amount of credits that may be awarded under this subsection
2 and ss. 71.07 (3q) and 71.28 (3q) for the period beginning on January 1, 2010, and
3 ending on June 30, 2013, is \$14,500,000.”.

4 **188.** Page 941, line 21: after “(bb)” insert “, except that the amounts certified
5 under this subdivision for taxable years beginning after December 31, 2009, and
6 before January 1, 2012, shall be paid in taxable years beginning after December 31,
7 2011”.

8 **189.** Page 941, line 21: after that line insert:

9 “**SECTION 1721m.** 71.47 (3w) (bm) 1. of the statutes, as affected by 2009
10 Wisconsin Act 11, is amended to read:

11 71.47 (3w) (bm) 1. In addition to the credits under par. (b) and ~~subd.~~ subds. 2.
12 and 3., and subject to the limitations provided in this subsection and s. 560.799, a
13 claimant may claim as a credit against the tax imposed under s. 71.43 an amount
14 equal to a percentage, as determined by the department of commerce, not to exceed
15 100 percent, of the amount the claimant paid in the taxable year to upgrade or
16 improve the job-related skills of any of the claimant’s full-time employees, to train
17 any of the claimant’s full-time employees on the use of job-related new technologies,
18 or to provide job-related training to any full-time employee whose employment with
19 the claimant represents the employee’s first full-time job. This subdivision does not
20 apply to employees who do not work in an enterprise zone.

21 **SECTION 1721n.** 71.47 (3w) (bm) 2. of the statutes, as created by 2009 Wisconsin
22 Act 11, is amended to read:

23 71.47 (3w) (bm) 2. In addition to the credits under par. (b) and ~~subd.~~ subds. 1.
24 and 3., and subject to the limitations provided in this subsection and s. 560.799, a

1 claimant may claim as a credit against the tax imposed under s. 71.43 an amount
2 equal to the percentage, as determined by the department of commerce under s.
3 560.799, not to exceed 7 percent, of the claimant’s zone payroll paid in the taxable
4 year to all of the claimant’s full-time employees whose annual wages are greater
5 than \$20,000 in a tier I county or municipality, not including the wages paid to the
6 employees determined under par. (b) 1., or greater than \$30,000 in a tier II county
7 or municipality, not including the wages paid to the employees determined under
8 par. (b) 1., and who the claimant employed in the enterprise zone in the taxable year,
9 if the total number of such employees is equal to or greater than the total number
10 of such employees in the base year. A claimant may claim a credit under this
11 subdivision for no more than 5 consecutive taxable years.

12 **SECTION 1721p.** 71.47 (3w) (bm) 3. of the statutes is created to read:

13 71.47 (3w) (bm) 3. In addition to the credits under par. (b) and subds. 1. and
14 2., and subject to the limitations provided in this subsection and s. 560.799, for
15 taxable years beginning after December 31, 2008, a claimant may claim as a credit
16 against the tax imposed under s. 71.43 up to 10 percent of the claimant’s significant
17 capital expenditures, as determined by the department of commerce under s.
18 560.799 (5m).

19 **SECTION 1721r.** 71.47 (3w) (c) 3. of the statutes is amended to read:

20 71.47 (3w) (c) 3. No credit may be allowed under this subsection unless the
21 claimant includes with the claimant’s return a copy of the claimant’s certification for
22 tax benefits under s. 560.799 (5) or (5m).”.

23 **190.** Page 954, line 12: after that line insert:

24 **SECTION 1741w.** 71.54 (1) (f) (intro.) of the statutes is amended to read:

1 71.54 (1) (f) *2001 and thereafter*. (intro.) The Subject to sub. (2m), the amount
2 of any claim filed in 2001 and thereafter and based on property taxes accrued or rent
3 constituting property taxes accrued during the previous year is limited as follows:

4 **SECTION 1741we.** 71.54 (2) (b) 3. of the statutes is amended to read:

5 71.54 (2) (b) 3. ~~In Subject to sub. (2m), in~~ calendar year 1990 or any subsequent
6 calendar year, \$1,450.”.

7 **191.** Page 954, line 15: delete “amount for” and substitute “amounts of the
8 threshold income under sub. (1) (f) 1. and 2.,”.

9 **192.** Page 954, line 16: after “sub. (1) (f) 3.” insert “and the maximum property
10 taxes under sub. (2) (b) 3.”.

11 **193.** Page 954, line 23: delete “number. The” and substitute “number. Each”.

12 **194.** Page 955, line 6: delete “under”.

13 **195.** Page 955, line 7: delete “sub. (1) (f) 1. and 2.” and substitute “as
14 calculated under par. (a)”.

15 **196.** Page 971, line 10: after “withhold” insert “, not more frequently than on
16 a quarterly basis,”.

17 **197.** Page 971, line 12: delete lines 12 to 18.

18 **198.** Page 972, line 18: delete the material beginning with that line and
19 ending with page 973, line 10.

20 **199.** Page 982, line 22: after that line insert:

21 “(h) *Exceptions.* This subsection does not apply to a financial institution that
22 has assets of less than \$10,000,000.”.

1 **200.** Page 987, line 24: delete the material beginning with that line and
2 ending with page 988, line 22.

3 **201.** Page 989, line 23: after “**REGIONAL**” insert “**SOUTHEASTERN**”.

4 **202.** Page 989, line 24: delete “**TRANSIT KRM**” and substitute
5 “**REGIONAL TRANSIT**”.

6 **203.** Page 989, line 25: delete “**PROFITS TAX**” and substitute
7 “**ASSESSMENT**”.

8 **204.** Page 1008, line 25: after “under s.” insert “66.1038 or”.

9 **205.** Page 1017, line 17: delete the material beginning with that line and
10 ending with page 1018, line 3.

11 **206.** Page 1020, line 10: after that line insert:

12 “**SECTION 1856d.** 77.70 of the statutes is renumbered 77.70 (1) and amended
13 to read:

14 77.70 (1) Any county desiring to impose county sales and use taxes under this
15 subchapter may do so by the adoption of an ordinance, stating its purpose and
16 referring to this subchapter. The rate of the tax imposed under this subsection is 0.5
17 percent of the gross receipts or sales price. The county sales and use taxes may be
18 imposed only for the purpose of directly reducing the property tax levy and only in
19 their entirety as provided in this subchapter. That ordinance shall be effective on the
20 first day of January, the first day of April, the first day of July or the first day of
21 October. A certified copy of that ordinance shall be delivered to the secretary of
22 revenue at least 120 days prior to its effective date. The repeal of any such ordinance
23 shall be effective on December 31. A certified copy of a repeal ordinance shall be

1 delivered to the secretary of revenue at least 60 days before the effective date of the
2 repeal.

3 **SECTION 1856e.** 77.70 (1) of the statutes, as affected by Wisconsin Acts 2 and
4 ... (this act), is repealed and recreated to read:

5 77.70 (1) Any county desiring to impose county sales and use taxes under this
6 subchapter may do so by the adoption of an ordinance, stating its purpose and
7 referring to this subchapter. The rate of the tax imposed under this subsection is 0.5
8 percent of the sales price or purchase price. The county sales and use taxes may be
9 imposed only for the purpose of directly reducing the property tax levy and only in
10 their entirety as provided in this subchapter. That ordinance shall be effective on the
11 first day of January, the first day of April, the first day of July or the first day of
12 October. A certified copy of that ordinance shall be delivered to the secretary of
13 revenue at least 120 days prior to its effective date. The repeal of any such ordinance
14 shall be effective on December 31. A certified copy of a repeal ordinance shall be
15 delivered to the secretary of revenue at least 120 days before the effective date of the
16 repeal.

17 **SECTION 1856f.** 77.70 (2) of the statutes is created to read:

18 77.70 (2) In addition to the taxes imposed under subs. (1) and (3), if Milwaukee
19 County satisfies the conditions under s. 66.1038 (5) (b), Milwaukee County may
20 adopt an ordinance to impose a sales and use tax under this subchapter at the rate
21 of 0.5 percent of the gross receipts or sales price. The taxes may be imposed only in
22 their entirety. If Milwaukee County imposes the taxes under this subsection, it shall
23 not levy property taxes for transit purposes. If Milwaukee County imposes the taxes
24 under this subsection, it shall distribute the tax revenue price to the Milwaukee
25 Transit Authority created under s. 66.1038. An ordinance adopted under this

1 subsection shall be effective on the first day of January, the first day of April, the first
2 day of July or the first day of October. A certified copy of that ordinance shall be
3 delivered to the secretary of revenue at least 120 days prior to its effective date. The
4 repeal of any such ordinance shall be effective on December 31. A certified copy of
5 a repeal ordinance shall be delivered to the secretary of revenue at least 120 days
6 before the effective date of the repeal.

7 **SECTION 1856g.** 77.70 (2) of the statutes, as created by 2009 Wisconsin Act ...
8 (this act), is repealed and recreated to read:

9 77.70 (2) In addition to the taxes imposed under subs. (1) and (3), if the
10 Milwaukee County satisfies the conditions under s. 66.1038 (5) (b), Milwaukee
11 County may adopt an ordinance to impose a sales and use tax under this subchapter
12 at the rate of 0.5 percent of the sales price or purchase price. The taxes may be
13 imposed only in their entirety. If Milwaukee County imposes the taxes under this
14 subsection, it shall not levy property taxes for transit purposes. If Milwaukee County
15 imposes the taxes under this subsection, it shall distribute the tax revenue to the
16 Milwaukee Transit Authority created under s. 66.1038. An ordinance adopted under
17 this subsection shall be effective on the first day of January, the first day of April, the
18 first day of July or the first day of October. A certified copy of that ordinance shall
19 be delivered to the secretary of revenue at least 120 days prior to its effective date.
20 The repeal of any such ordinance shall be effective on December 31. A certified copy
21 of a repeal ordinance shall be delivered to the secretary of revenue at least 120 days
22 before the effective date of the repeal.

23 **SECTION 1856h.** 77.70 (3) of the statutes is created to read:

24 77.70 (3) In addition to the taxes imposed under subs. (1) and (2), Milwaukee
25 County may adopt an ordinance to impose a sales and use tax under this subchapter

1 at the rate of 0.15 percent of the gross receipts or sales price. The taxes may be
2 imposed only in their entirety. Milwaukee County shall distribute the tax revenue
3 to the municipalities located in whole or in part in Milwaukee County in proportion
4 to the number of police and fire personnel employed in each municipality. An
5 ordinance adopted under this subsection shall be effective on the first day of January,
6 the first day of April, the first day of July or the first day of October. A certified copy
7 of that ordinance shall be delivered to the secretary of revenue at least 120 days prior
8 to its effective date. The repeal of any such ordinance shall be effective on December
9 31. A certified copy of a repeal ordinance shall be delivered to the secretary of
10 revenue at least 120 days before the effective date of the repeal.

11 **SECTION 1856i.** 77.70 (3) of the statutes, as created by 2009 Wisconsin Act ...
12 (this act), is repealed and recreated to read:

13 77.70 (3) In addition to the taxes imposed under subs. (1) and (2), Milwaukee
14 County may adopt an ordinance to impose a sales and use tax under this subchapter
15 at the rate of 0.15 percent of the sales price or purchase price. The taxes may be
16 imposed only in their entirety. Milwaukee County shall distribute the tax revenue
17 to the municipalities located in whole or in part in Milwaukee County in proportion
18 to the number of police and fire personnel employed in each municipality. An
19 ordinance adopted under this subsection shall be effective on the first day of January,
20 the first day of April, the first day of July or the first day of October. A certified copy
21 of that ordinance shall be delivered to the secretary of revenue at least 120 days prior
22 to its effective date. The repeal of any such ordinance shall be effective on December
23 31. A certified copy of a repeal ordinance shall be delivered to the secretary of
24 revenue at least 120 days before the effective date of the repeal.”.

1 **207.** Page 1021, line 15: delete the material beginning with “, or 1.0” and
2 ending with “(2) (a),” on line 16.

3 **208.** Page 1022, line 18: delete “rate of 0.5%” and substitute “~~rate of 0.5%~~
4 rates under s. 77.70”.

5 **209.** Page 1023, line 6: delete “rate of 0.5 percent” and substitute “rates under
6 s. 77.70”.

7 **210.** Page 1023, line 16: delete “rate of 0.5%” and substitute “~~rate of 0.5%~~
8 rates under s. 77.70”.

9 **211.** Page 1024, line 7: delete “rate of 0.5 percent” and substitute “rates under
10 s. 77.70”.

11 **212.** Page 1025, line 1: delete “rate of 0.5%” and substitute “~~rate of 0.5%~~ rates
12 under s. 77.70”.

13 **213.** Page 1025, line 15: delete “rate of 0.5 percent” and substitute “rates
14 under s. 77.70”.

15 **214.** Page 1026, line 2: delete “rate of 0.5 percent” and substitute “~~rate of 0.5~~
16 ~~percent~~ rates under s. 77.70”.

17 **215.** Page 1026, line 16: delete “rate of 0.5 percent” and substitute “rates
18 under s. 77.70”.

19 **216.** Page 1036, line 19: delete “~~REGIONAL TRANSIT~~ KRM” and substitute
20 “SOUTHEASTERN REGIONAL TRANSIT”.

21 **217.** Page 1036, line 23: delete “~~A regional transit~~ The KRM” and substitute
22 “~~A~~ The southeastern regional transit”.

23 **218.** Page 1036, line 24: delete “~~\$16~~” and substitute “\$18”.

1 **219.** Page 1037, line 7: delete the material beginning with “regional” and
2 ending with “KRM” on line 8 and substitute “southeastern regional transit”.

3 **220.** Page 1037, line 13: on lines 13 and 20, delete “KRM” and substitute
4 “southeastern regional transit”.

5 **221.** Page 1038, line 1: on lines 1, 8, 9, 17 and 18, delete “KRM” and substitute
6 “southeastern regional transit”.

7 **222.** Page 1039, line 2: delete “PROFITS TAX” and substitute
8 “ASSESSMENT”.

9 **223.** Page 1039, line 9: delete lines 9 to 16 and substitute:

10 “(4d) “Gross receipts” means taxable gallons multiplied by the wholesale price,
11 as established under s. 77.9982 (4m), for the calendar quarter in which the first sale
12 of the taxable gallons occurred.”.

13 **224.** Page 1039, line 20: after that line insert:

14 “(7d) “Taxable gallons” means the number of gallons involved in the first sale
15 of motor vehicle fuel received by a supplier for sale in this state, for sale for export
16 to this state, or for export to this state. “Taxable gallons” does not include the number
17 of gallons involved in the first sale of motor vehicle fuel received by a supplier for sale
18 in this state, for sale for export to this state, or for export to this state, if the motor
19 vehicle fuel is biodiesel fuel, ethanol blended with gasoline consisting of at least 85
20 percent ethanol, or motor vehicle fuel specified under s. 78.01 (2) or (2m).”.

21 **225.** Page 1039, line 21: after that line insert:

22 “(8m) “Wholesale price” means the net price, excluding any state or federal tax
23 or fee, as published by the department.”.

1 **226.** Page 1039, line 23: delete “the following percentages” and substitute “2
2 percent”.

3 **227.** Page 1039, line 23: delete “a tax” and substitute “an assessment”.

4 **228.** Page 1040, line 2: delete that line and substitute “to this state, or for
5 export to this state.”.

6 **229.** Page 1040, line 3: delete lines 3 to 9.

7 **230.** Page 1040, line 13: on lines 13, 14, 15, 16 and 24, delete “tax” and
8 substitute “assessment”.

9 **231.** Page 1040, line 15: delete “purchase” and substitute “wholesale”.

10 **232.** Page 1040, line 19: on lines 19 and 21, delete “taxes” and substitute
11 “assessments”.

12 **233.** Page 1041, line 5: delete the material beginning with that line and
13 ending with page 1042, line 2, and substitute:

14 “(4m) For purposes of determining the amount of the assessments imposed
15 under this subchapter, the department shall establish a wholesale price of \$1.60 per
16 gallon for August 2009 and shall adjust the wholesale price each subsequent
17 calendar quarter after August 2009 according to a calculation established by the
18 department by rule. The wholesale price established under this subsection for any
19 calendar quarter shall be no less than \$1.52 per gallon and no more than \$2.24 per
20 gallon. The department shall provide notice of the wholesale price no later than 14
21 days before any adjustment in the wholesale price.”.

22 **234.** Page 1042, line 8: delete “taxes” and substitute “assessments”.

1 **235.** Page 1044, line 2: delete that line and substitute “appropriation
2 accounts under s. 20.835 (1) (q) and (r) in an amount determined under sub. (2).”.

3 **236.** Page 1046, line 22: delete “and (q)” and substitute “, (q), and (r)”.

4 **237.** Page 1047, line 19: delete “Its” and substitute “Its Except as provided
5 in sub. (2b), its”.

6 **238.** Page 1048, line 4: after that line insert:

7 “**SECTION 1900i.** 79.05 (2b) of the statutes is created to read:

8 79.05 **(2b)** The calculation under sub. (2) (c) shall not include any amount of
9 police and fire expenditures funded from a municipality’s general fund balance.”.

10 **239.** Page 1053, line 3: delete lines 3 to 9.

11 **240.** Page 1057, line 23: delete the material beginning with that line and
12 ending with page 1058, line 22.

13 **241.** Page 1061, line 13: after that line insert:

14 “**SECTION 1928b.** 85.022 (2) (c) of the statutes is created to read:

15 85.022 **(2)** (c) If the department considers a high-speed rail route between the
16 cities of Milwaukee and Madison, the department shall include in its consideration
17 a study of the feasibility of including a stop in the city of Waterloo in Jefferson
18 County.”.

19 **242.** Page 1063, line 7: delete “KRM” and substitute “southeastern regional
20 transit”.

21 **243.** Page 1064, line 6: delete the material beginning with “transit” and
22 ending with “(a)” on line 7 and substitute “Milwaukee Transit Authority under s.
23 66.1038”.

1 **244.** Page 1064, line 7: delete “KRM” and substitute “southeastern regional
2 transit”.

3 **245.** Page 1102, line 12: after “ordinance” insert “in accordance with sub.
4 (1m)”.

5 **246.** Page 1102, line 12: after that line insert:

6 “(1m) (a) A political subdivision may not specify a conversion fee under sub.
7 (1) (b) 2. that exceeds 4 times the per acre value, for the year in which the land is
8 rezoned, of the highest value category of tillable cropland in the city, village, or town
9 in which the rezoned land is located, as specified by the department of revenue under
10 s. 73.03 (2a).

11 (b) A political subdivision may specify a conversion fee under sub. (1) (b) 2. only
12 by a vote separate from the vote enacting any other provision of a farmland
13 preservation zoning ordinance.”.

14 **247.** Page 1120, line 22: delete the material beginning with that line and
15 ending with page 1121, line 18.

16 **248.** Page 1142, line 9: after “fee.” insert “The department may not
17 promulgate a rule under this section requiring a person operating a plant where
18 animals are slaughtered to pay a fee based on the number of animals slaughtered.”.

19 **249.** Page 1156, line 11: after that line insert:

20 “**SECTION 2152m.** 101.123 (1) (gg) of the statutes, as created by 2009 Wisconsin
21 Act 12, is amended to read:

22 101.123 (1) (gg) “Retail tobacco store” means a retail establishment that does
23 not have a “Class B” intoxicating liquor license or a Class “B” fermented malt

1 beverages license and that generates 75 percent or more of its gross annual income
2 from the retail sale of cigarettes, tobacco products and tobacco accessories.”.

3 **250.** Page 1166, line 11: after that line insert:

4 “**SECTION 2186f.** 103.457 of the statutes is amended to read:

5 **103.457 Listing deductions from wages.** An employer shall state clearly
6 on the employee’s pay check, pay envelope, or paper accompanying the wage
7 payment the amount of and reason for each deduction from the wages due or earned
8 by the employee, except such miscellaneous deductions as may have been authorized
9 by request of the individual employee for reasons personal to the employee. A
10 reasonable coding system may be used by the employer. If the department finds that
11 an employer has failed to state that information clearly as required under this
12 section, the department may order the employer to pay the employee, as liquidated
13 damages, not less than \$50 nor more than \$500 for each violation.”.

14 **251.** Page 1178, line 13: after “modification.” insert “If the department grants
15 an exception or modification, the department shall post that information on its
16 Internet site, together with a detailed explanation of why the exception or
17 modification was granted.”.

18 **252.** Page 1179, line 11: after that line insert:

19 “(am) 1. By no later than 15 days after the end of a month in which an employer
20 performs work on a project, the employer shall submit to the department in an
21 electronic format a report of the daily number of employees employed by the
22 employer on the project in trades that are apprenticeable under this subchapter, the
23 daily number of apprentices employed on the project, the race, sex, and average age
24 of those apprentices, and the daily number of hours worked by those apprentices.

1 The department shall post on its Internet site a running summary of those reports
2 summarizing for each month the total number of employees employed on projects in
3 this state in trades that are apprenticeable under this subchapter, the total number
4 of apprentices employed on those projects, the race, sex, and average age of those
5 apprentices, and the total number of hours worked by those apprentices.

6 2. The department shall grant an employer a total grace period of not more than
7 10 days in each calendar year for submitting the reports under subd. 1. All projects
8 on which an employer performs work during a calendar year, whether as a contractor,
9 subcontractor, or agent of a contractor or subcontractor, are subject to a single grace
10 period under this subdivision. If an employer exceeds that grace period, the
11 employer shall forfeit, for each project on which the employer performs work during
12 the calendar year, \$1,000 for each day by which the employer exceeds the grace
13 period.”.

14 **253.** Page 1179, line 25: after that line insert:

15 “**(6m)** DEPARTMENT. (a) Except as provided under pars. (b) and (c), the
16 department shall distribute to all state agencies a list of all persons whom the
17 department has found to have exceeded the grace period under sub. (6) (am) 2. at any
18 time in the preceding 3 years. The department shall include with any name the
19 address of the person and shall specify when the person exceeded the grace period
20 under sub. (6) (am) 2. A state agency may not award any contract to the person unless
21 otherwise recommended by the department or unless 3 years have elapsed from the
22 date on which the department issued its findings or date of final determination by
23 a court of competent jurisdiction, whichever is later.

1 (b) The department may not include in a notification under par. (a) the name
2 of any person on the basis of having let work to a person whom the department has
3 found to have exceeded the grace period under sub. (6) (am) 2.

4 (c) This subsection does not apply to any contractor, subcontractor, or agent
5 who in good faith on no more than 2 occasions in the same calendar year commits a
6 minor violation of sub. (6) (am) 2., as determined on a case-by-case basis through
7 administrative hearings with all rights to due process afforded to all parties or who
8 has not exhausted or waived all appeals.

9 (d) Any person submitting a bid on a project that is subject to this section shall,
10 on the date on which the person submits the bid, identify any construction business
11 in which the person, or a shareholder, officer, or partner of the person, if the person
12 is a business, owns, or has owned at least a 25 percent interest on the date on which
13 the person submits the bid or at any other time within 3 years preceding the date on
14 which the person submits the bid, if the business has been found to have exceeded
15 the grace period under sub. (6) (am) 2.

16 (e) The department shall promulgate rules to administer this subsection.”.

17 **254.** Page 1188, line 13: after “violation.” insert “The department shall
18 promulgate rules defining what constitutes a willful misclassification of an employee
19 as a nonemployee for purposes of this section and of ss. 102.07 (8) (d) and 108.24
20 (2m).”.

21 **255.** Page 1189, line 20: after that line insert:

22 “SECTION 2223m. 111.70 (1) (j) of the statutes is amended to read:

23 111.70 (1) (j) “Municipal employer” means any city, county, village, town,
24 metropolitan sewerage district, school district, long-term care district, transit

1 authority under s. 59.58 (7), 66.1038, or 66.1039, or any other political subdivision
2 of the state, or instrumentality of one or more political subdivisions of the state, that
3 engages the services of an employee and includes any person acting on behalf of a
4 municipal employer within the scope of the person’s authority, express or implied,
5 but specifically does not include a local cultural arts district created under subch. V
6 of ch. 229.”.

7 **256.** Page 1205, line 10: delete “The requirement to make retention” and
8 substitute “Retention”.

9 **257.** Page 1205, line 11: delete “the requirement to make”.

10 **258.** Page 1232, line 24: delete the material beginning with that line and
11 ending with page 1233, line 5.

12 **259.** Page 1233, line 5: after that line insert:

13 “**SECTION 2255m.** 115.28 (52) of the statutes is amended to read:

14 115.28 (52) ADULT LITERACY GRANTS. From the appropriation under s. 20.255
15 (3) (b), award grants to nonprofit organizations, as defined in s. 108.02 (19), to
16 support programs that train community–based adult literacy staff and to establish
17 new volunteer–based programs in areas of this state that have a demonstrated need
18 for adult literacy services. No grant may exceed \$10,000, and no organization may
19 receive more than one grant in any fiscal year.”.

20 **260.** Page 1244, line 10: delete “118.245,” and substitute “118.245,”.

21 **261.** Page 1245, line 1: after that line insert:

22 “**SECTION 2277p.** 119.23 (2) (a) (intro.) of the statutes is amended to read:

1 119.23 **(2)** (a) (intro.) Subject to ~~par.~~ pars. (b) and (bm), any pupil in grades
2 kindergarten to 12 who resides within the city may attend, at no charge, any private
3 school located in the city if all of the following apply.”.

4 **262.** Page 1247, line 1: delete the material beginning with “not” and ending
5 with “participating” on line 2 and substitute “a first–time participant”.

6 **263.** Page 1248, line 12: delete “No” and substitute “~~No~~ Except as provided
7 in par. (bm), no”.

8 **264.** Page 1249, line 6: after that line insert:

9 “**SECTION 2285am.** 119.23 (2) (bm) of the statutes is created to read:

10 119.23 **(2)** (bm) In the 2009–10 and 2010–11 school years, no more than 21,500
11 pupils, as counted under s. 121.004 (7), may attend private schools under this
12 section.”.

13 **265.** Page 1250, line 10: delete “and (p)”.

14 **266.** Page 1255, line 20: delete lines 20 to 23 and substitute:

15 “**SECTION 2289m.** 119.23 (7) (cm) of the statutes is created to read:

16 119.23 **(7)** (cm) 1. In this paragraph:

17 a. “Bilingual–bicultural education program” has the meaning given in s.
18 115.955 (2).

19 b. “Bilingual counselor” has the meaning given in s. 115.955 (3).

20 c. “Bilingual teacher” has the meaning given in s. 115.955 (5).

21 d. “Limited–English proficient pupil” has the meaning given in s. 115.955 (7).

22 2. Beginning in the 2011–12 school year and annually in each school year
23 thereafter, each private school participating in the program under this section shall
24 conduct a count of the limited–English proficient pupils attending the private school

1 under this section, assess the language proficiency of such pupils, and classify such
2 pupils by language group, grade level, age, and English language proficiency.

3 3. If, after conducting the count under subd. 2., the private school determines
4 that one of the following requirements is satisfied, the private school shall establish
5 a bilingual–bicultural education program that complies with the requirements
6 under subd. 4.:

7 a. If, in a language group under subd. 2., there are 10 or more limited–English
8 proficient pupils in kindergarten to grade 3, in attendance at the private school
9 under the program under this section, and whose parents or guardians give written
10 consent to such pupils’ placement under subd. 4., the private school shall establish
11 a bilingual–bicultural education program for such pupils during the school term.
12 Such program shall be taught by a bilingual teacher.

13 b. If, in a language group under subd. 2., there are 20 or more limited–English
14 proficient pupils in grades 4 to 8, in attendance at the private school under the
15 program under this section, and whose parents or guardians give written consent to
16 such pupils’ placement under subd. 4., the private school shall establish a
17 bilingual–bicultural education program for such pupils during the school term. Such
18 program shall be taught by a bilingual teacher.

19 c. If, in a language group under subd. 2., there are 20 or more limited–English
20 proficient pupils in grades 9 to 12, in attendance at the private school, and whose
21 parents or guardians give written consent to the pupils’ placement under subd. 4.,
22 the private school shall establish a bilingual–bicultural education program. The
23 program shall be taught by a bilingual teacher. Bilingual counselors shall be made
24 available.

1 4. The private school shall obtain written consent from the parent or guardian
2 of each limited-English proficient pupil before placing such pupil in a
3 bilingual-bicultural education program. A pupil shall be eligible for a
4 bilingual-bicultural education program only until he or she is able to perform
5 ordinary classwork in English. The bilingual-bicultural education program shall be
6 designed to provide intensive instruction to meet this objective. Nothing in this
7 paragraph shall be construed to authorize isolation of children of limited-English
8 proficient ability or ethnic background for a substantial portion of the school day.
9 Pupils who are not limited-English proficient pupils may participate in a
10 bilingual-bicultural education program, except that the private school shall give
11 preference to limited-English proficient pupils in admitting pupils to such a
12 program.”.

13 **267.** Page 1263, line 19: delete the material beginning with that line and
14 ending with page 1264, line 12.

15 **268.** Page 1266, line 1: delete lines 1 to 9.

16 **269.** Page 1276, line 9: delete the material beginning with “This” and ending
17 with “years.” on line 11.

18 **270.** Page 1276, line 12: delete lines 12 to 15.

19 **271.** Page 1282, line 21: delete “50 71” and substitute “50”.

20 **272.** Page 1284, line 19: delete “50 71” and substitute “50”.

21 **273.** Page 1307, line 20: delete “shall” and substitute “may”.

22 **274.** Page 1307, line 21: after “a total of” insert “up to”.

1 **275.** Page 1307, line 22: after “following” insert “, for retention pay for
2 assistant district attorneys and assistant state public defenders”.

3 **276.** Page 1307, line 22: delete “20.455” and substitute “20.455,”.

4 **277.** Page 1308, line 11: delete that line and substitute:

5 “(b) If the attorney general transfers moneys under sub. (1) in a fiscal year, the
6 attorney general shall on June 30 of that fiscal year transfer from”.

7 **278.** Page 1308, line 13: delete “\$1,000,000” and substitute “the amount
8 transferred under sub. (1)”.

9 **279.** Page 1308, line 15: delete that line and substitute:

10 “(c) If the attorney general transfers moneys under sub. (1) in a fiscal year, the
11 attorney general shall on June 30 of that fiscal year transfer”.

12 **280.** Page 1308, line 17: delete “\$1,000,000” and substitute “the amount
13 transferred under sub. (1)”.

14 **281.** Page 1310, line 11: delete the material beginning with that line and
15 ending with page 1312, line 7.

16 **282.** Page 1312, line 20: delete the material beginning with that line and
17 ending with page 1315, line 23.

18 **283.** Page 1319, line 18: delete the material beginning with that line and
19 ending with page 1320, line 5.

20 **284.** Page 1320, line 10: delete “active voice or nonvoice” and substitute
21 “active retail voice”.

22 **285.** Page 1320, line 14: delete the material beginning with “that the” and
23 ending with “subscriber.” on line 15 and substitute “with an assigned telephone

1 number, including a communication service provided via a voice over Internet
2 protocol connection. If a communications provider provides multiple
3 communications service connections to a subscriber, the communications provider
4 shall impose a separate fee under this subdivision on each of the first 10 connections
5 and one additional fee for each 10 additional connections per billed account.”.

6 **286.** Page 1320, line 18: delete “fee.” and substitute “fee,” or, if the
7 communications provider combines the fee with a charge imposed under s. 256.35 (3),
8 the communications provider shall identify the combined fee and charge as “charge
9 for funding countywide 911 systems plus police and fire protection fee.”.

10 **287.** Page 1321, line 18: after that line insert:

11 “**SECTION 2454kg.** 196.20 (4) (c) of the statutes is repealed and recreated to
12 read:

13 196.20 (4) (c) 1. If an electric public utility has an approved fuel cost plan, the
14 commission shall defer any under-collection or over-collection of fuel costs that are
15 outside of the utility’s symmetrical fuel cost annual tolerance, as established by the
16 commission, for subsequent rate recovery or refund.

17 2. The commission may commence a proceeding to adjust rates for an electric
18 public utility outside of a general rate case proceeding if the utility’s actual fuel costs
19 are outside of the utility’s fuel cost annual tolerance, as established by the
20 commission.

21 3. Approval of a fuel cost plan and any rate adjustment for deferred fuel costs
22 or refund of over-collected fuel costs shall be determined by the commission after
23 opportunity for hearing.

24 **SECTION 2454kr.** 196.20 (4) (d) of the statutes is amended to read:

1 196.20 (4) (d) The commission shall promulgate a rule to implement this
2 subsection.”.

3 **288.** Page 1322, line 18: after that line insert:

4 “**SECTION 2463m.** 196.31 (2m) of the statutes is created to read:

5 196.31 (2m) From the appropriation under s. 20.155 (1) (j), the commission
6 shall make an annual grant of \$300,000 to a nonstock, nonprofit corporation that is
7 described under section 501 (c) (3) of the Internal Revenue Code, and that has a
8 history of advocating on behalf of residential ratepayers for affordable rates, for the
9 purpose of offsetting the general expenses of the corporation, including salary,
10 benefit, rent, and utility expenses.”.

11 **289.** Page 1322, line 19: delete the material beginning with that line and
12 ending with page 1323, line 11.

13 **290.** Page 1325, line 18: delete the material beginning with that line and
14 ending with page 1326, line 5.

15 **291.** Page 1326, line 25: delete the material beginning with that line and
16 ending with page 1327, line 20.

17 **292.** Page 1328, line 7: delete the material beginning with that line and
18 ending with page 1329, line 24.

19 **293.** Page 1363, line 5: after that line insert:

20 “**SECTION 2574h.** 281.14 of the statutes is created to read:

21 **281.14 Wisconsin River monitoring and study. (1)** In this section:

22 (a) “Nonpoint source” has the meaning given in s. 281.16 (1) (e).

23 (b) “Point source” has the meaning given in s. 283.01 (12).

1 **(2)** The department shall conduct a program to monitor and study the
2 introduction of nutrients from point sources and nonpoint sources into the Wisconsin
3 River from the city of Merrill to the Castle Rock Flowage dam. The department shall
4 seek to do all of the following under this subsection:

5 (a) Identify the amounts of nutrients being introduced into the river.

6 (b) Characterize and quantify the nutrients, in particular nitrogen and
7 phosphorus, introduced into the river from nonpoint sources relative to climate, land
8 use, soil type, elevation, and drainage.

9 (c) Collect water quality information for locations on the river itself and for
10 major tributaries and major impoundments to use in evaluating the biological,
11 physical, and chemical properties of the water and to use as data in watershed and
12 river models.

13 (d) Use watershed and river models and the information collected under this
14 subsection and from other sources to forecast the effect on water quality of different
15 methods of reducing the amounts of nutrients introduced into the river.

16 (e) Develop tools to use in selecting and implementing methods of reducing the
17 amounts of nutrients introduced into the river.”.

18 **294.** Page 1391, line 7: delete lines 7 to 9.

19 **295.** Page 1391, line 10: delete “(b) 1.” and substitute “283.31 **(8)** (a)”.

20 **296.** Page 1391, line 11: delete the material beginning with “or” and ending
21 with “subd. 2” on line 12.

22 **297.** Page 1391, line 13: delete lines 13 to 17 and substitute:

23 “(b) Of each fee paid under par. (a), \$95 shall be credited to the appropriation
24 account under s. 20.370 (4) (mi).

1 (c) The department shall annually submit a report to the joint committee on
2 finance and, under s. 13.172 (3), to the standing committees of the legislature with
3 jurisdiction over agricultural and environmental matters describing the use of the
4 moneys credited to the appropriation account under s. 20.370 (4) (mi) under par. (b).”.

5 **298.** Page 1396, line 5: delete the material beginning with that line and
6 ending with page 1397, line 4.

7 **299.** Page 1397, line 24: delete the material beginning with that line and
8 ending with page 1398, line 25.

9 **300.** Page 1399, line 3: after that line insert:

10 “**SECTION 2657u.** 289.67 (1) (cm) of the statutes is amended to read:

11 289.67 (1) (cm) *Amount of environmental repair fee.* Except as provided under
12 ~~par. pars. (cv) and~~ (d), the environmental repair fee imposed under par. (a) is 20 cents
13 per ton.”.

14 **301.** Page 1399, line 6: delete “par.” and substitute “~~par. pars. (cv) and~~”.

15 **302.** Page 1399, line 9: after that line insert:

16 “**SECTION 2658e.** 289.67 (1) (cv) of the statutes is created to read:

17 289.67 (1) (cv) *Environmental repair fee for certain sediments.* The
18 environmental repair fee imposed under par. (a) is \$4.05 per ton for solid or
19 hazardous waste disposed of on or after July 1, 2009, that consists of sediments that
20 are contaminated with PCBs, as defined in s. 299.45 (1) (a), and that are removed
21 from the bed of a navigable water of this state in connection with a phase of a project
22 to remedy contamination of the bed of the navigable water if the quantity of the
23 sediments removed, either in the phase or in combination with other planned phases

1 of the project, will exceed 200,000 cubic yards and if removal of sediments under the
2 project began before the effective date of this paragraph ... [LRB inserts date].”.

3 **303.** Page 1450, line 9: after that line insert:

4 “**SECTION 2773s.** 321.45 of the statutes is created to read:

5 **321.45 Military family financial aid. (1)** In this section:

6 (a) “Immediate family” means the spouse and dependent children of a service
7 member who are residents of this state.

8 (b) “Service member” means a member of a reserve unit of the U.S. armed forces
9 or of the national guard who is a resident of this state and who is serving on active
10 duty in the U.S. armed forces.

11 (2) The department shall provide financial aid to eligible members of the
12 immediate family of service members. The department shall promulgate rules
13 establishing eligibility criteria and the amount of financial aid.”.

14 **304.** Page 1496, line 20: after “under s.” insert “66.1038 or”.

15 **305.** Page 1497, line 6: delete lines 6 to 22.

16 **306.** Page 1538, line 1: after “chiropractor” insert “unless the claim for the
17 services related to the copayment, coinsurance, or deductible is reduced by an equal
18 amount”.

19 **307.** Page 1538, line 5: delete “and” and substitute “or”.

20 **308.** Page 1550, line 9: delete lines 9 to 12.

21 **309.** Page 1555, line 12: delete lines 12 to 15.

22 **310.** Page 1556, line 20: delete lines 20 to 23.

23 **311.** Page 1561, line 1: delete lines 1 to 4.

1 **312.** Page 1576, line 4: delete “but not more than \$100,000”.

2 **313.** Page 1576, line 7: delete “but not more than \$100,000”.

3 **314.** Page 1576, line 16: delete “The” and substitute “Except as provided in
4 subd. 1m., the”.

5 **315.** Page 1576, line 20: delete the material beginning with “but not” and
6 ending with “\$100,000” on line 21.

7 **316.** Page 1576, line 22: delete the material beginning with “but not” and
8 ending with “\$100,000” on line 23.

9 **317.** Page 1576, line 23: after that line insert:

10 “1m. If an eligible employee earned wages greater than \$100,000, the
11 department may award to a person certified under sub. (2) tax benefits for each such
12 employee in an amount equal to up to 10 percent of the first \$100,000 in wages paid
13 by the person to that employee.”.

14 **318.** Page 1591, line 25: after that line insert:

15 “**SECTION 3121g.** 560.799 (5m) of the statutes is created to read:

16 **560.799 (5m)** ADDITIONAL TAX BENEFITS FOR SIGNIFICANT CAPITAL EXPENDITURES.
17 If the department determines that a business certified under sub. (5) makes a
18 significant capital expenditure in the enterprise zone, the department may certify
19 the business to receive additional tax benefits in an amount to be determined by the
20 department, but not exceeding 10 percent of the business’ capital expenditures. The
21 department shall, in a manner determined by the department, allocate the tax
22 benefits a business is certified to receive under this subsection over the remainder
23 of the time limit of the enterprise zone under sub. (4).

24 **SECTION 3121r.** 560.799 (6) (g) 3. of the statutes is created to read:

1 560.799 (6) (g) 3. The definition of “significant capital expenditure” for purposes
2 of sub. (5m).”.

3 **319.** Page 1592, line 8: delete lines 8 to 12.

4 **320.** Page 1592, line 16: delete “\$14” and substitute “\$16”.

5 **321.** Page 1592, line 16: delete “\$48” and substitute “\$50”.

6 **322.** Page 1594, line 16: after “under s.” insert “66.1038 or”.

7 **323.** Page 1596, line 2: delete lines 2 to 8.

8 **324.** Page 1611, line 25: after “insured.” insert “If an insured brings a civil
9 action against an insurer relating to a preexisting condition exclusion denial
10 determination or a rescission with respect to which an independent review
11 organization has issued a decision, the decision of the independent review
12 organization is presumed to be correct and the insured has the burden of rebutting
13 the presumption.”.

14 **325.** Page 1612, line 11: after that line insert:

15 “**SECTION 3192m.** 632.835 (7) (c) of the statutes is created to read:

16 632.835 (7) (c) An insurer is not liable for punitive damages for actions taken
17 in compliance with any decision rendered by a certified independent review
18 organization under this section relating to a preexisting condition exclusion denial
19 determination or a rescission.”.

20 **326.** Page 1615, line 12: before “therapy” insert “evidence–based”.

21 **327.** Page 1615, line 15: before “therapy” insert “evidence–based”.

22 **328.** Page 1616, line 9: delete “\$60,000” and substitute “\$50,000”.

23 **329.** Page 1616, line 11: delete “\$30,000” and substitute “\$25,000”.

1 **330.** Page 1648, line 10: after that line insert:

2 “**SECTION 3221d.** 799.41 of the statutes is renumbered 799.41 (1).

3 **SECTION 3221e.** 799.41 (2) of the statutes is created to read:

4 799.41 **(2)** If the eviction seeks to remove a tenant whose tenancy is terminated
5 as the result of a foreclosure judgment and sale under s. 708.02, the complaint shall
6 identify the action as an eviction of the tenant due to a foreclosure action.”.

7 **331.** Page 1648, line 11: delete the material beginning with that line and
8 ending with page 1649, line 10.

9 **332.** Page 1649, line 18: after that line insert:

10 “**SECTION 3222g.** 802.03 (9) of the statutes is created to read:

11 802.03 **(9)** FORECLOSURE. In an action for foreclosure of real property, the
12 complaint may not name a tenant of residential real property as a defendant unless
13 the tenant has a lien or ownership interest in the real property.”.

14 **333.** Page 1649, line 19: delete the material beginning with that line and
15 ending with page 1650, line 2.

16 **334.** Page 1654, line 12: after that line insert:

17 “**SECTION 3243c.** 846.35 (1) (c) of the statutes, as created by 2009 Wisconsin Act
18 2, is renumbered 846.35 (6) and amended to read:

19 846.35 **(6)** PENALTIES. If a plaintiff fails to provide a notice under par. (a) in
20 accordance with pars. (a) and (b), or fails to comply with sub. (5). the court shall
21 award the tenant to whom the notice should have been given or who should not have
22 named as a defendant \$250 in damages, plus reasonable attorney fees. A tenant may
23 not recover under this paragraph for more than one notice violation.

1 **SECTION 3243e.** 846.35 (4) of the statutes, as created by 2009 Wisconsin Act 2,
2 is repealed.

3 **SECTION 3243f.** 846.35 (5) of the statutes is created to read:

4 **846.35 (5) TENANT NOT NAMED IN COMPLAINT.** In an action for foreclosure of
5 residential real property, the complaint may not name a tenant as a defendant unless
6 the tenant has a lien or ownership interest in the real property.”.

7 **335.** Page 1666, line 7: delete the material beginning with that line and
8 ending with page 1667, line 3.

9 **336.** Page 1668, line 25: delete the material beginning with that line and
10 ending with page 1669, line 6.

11 **337.** Page 1708, line 16: after “more” insert “than”.

12 **338.** Page 1709, line 19: delete “shall notify shall notify” and substitute “shall
13 notify”.

14 **339.** Page 1712, line 19: after that line insert:

15 **“SECTION 3391c.** 973.045 (2m) of the statutes, as affected by 2009 Wisconsin
16 Act (this act), is repealed and recreated to read:

17 **973.045 (2m) (a)** The secretary of administration shall credit to the
18 appropriation account under s. 20.455 (5) (gc) the first \$20 of part B of the crime
19 victim and witness surcharge.

20 **(b)** The secretary of administration shall credit to the appropriation account
21 under s. 20.455 (5) (g) part A of the crime victim and witness surcharge and any part
22 of part B of the crime victim and witness surcharge that remains after the secretary
23 of administration complies with par. (a).”.

24 **340.** Page 1717, line 23: delete “from”.

1 **341.** Page 1718, line 1: delete lines 1 and 2 and substitute:

2 “(b) If the attorney general transfers moneys under s. 165.03 (1) for retention
3 pay in a fiscal year, the state public defender shall, from the appropriation under s.
4 20.550 (1) (kb), pay each individual who is a full–time equivalent assistant state
5 public”.

6 **342.** Page 1718, line 3: delete “shall”.

7 **343.** Page 1719, line 1: delete lines 1 and 2 and substitute:

8 “2. If the attorney general transfers moneys under s. 165.03 (1) for retention
9 pay in a fiscal year, the secretary of administration shall, from the appropriation
10 under s. 20.475 (1) (kb) and subject to sub. (5) (c), pay each individual who is a
11 full–time equivalent”.

12 **344.** Page 1719, line 4: delete “shall”.

13 **345.** Page 1720, line 9: delete the material beginning with that line and
14 ending with page 1721, line 1.

15 **346.** Page 1734, line 11: delete “\$334,107,600” and substitute “\$354,807,600”.

16 **347.** Page 1735, line 15: delete “ASSISTANCE FEE.” and substitute “ASSISTANCE.”.

17 **348.** Page 1735, line 19: after that line insert:

18 “2m. “Federal economic stimulus funds” means federal moneys received by the
19 state, pursuant to federal legislation enacted during the 111th Congress for the
20 purpose of reviving the economy of the United States.”.

21 **349.** Page 1735, line 21: after that line insert:

22 “3m. “Stimulus portion” means the portion of moneys received under 42 USC
23 6861 to 6873 and 42 USC 8621 to 8629 in a fiscal year that is attributable to, as

1 determined by the secretary of administration, the federal economic stimulus funds
2 received in that fiscal year.”.

3 **350.** Page 1736, line 3: after that line insert:

4 “(cm) Notwithstanding section 16.957 (4) (c) 1. of the statutes, in determining
5 the amount of the low-income assistance fee for fiscal years 2009–10, 2010–11, and
6 2011–12, the stimulus portion received in the fiscal year shall be deducted from the
7 sum of the amounts specified in section 16.957 (4) (c) 1. a. to c. of the statutes for that
8 fiscal year.

9 (dm) In fiscal years 2009–10, 2010–11, and 2011–12, in determining whether
10 the amount required under section 16.957 (2) (a) of the statutes, as affected by this
11 act, is spent for weatherization or other energy conservation services, the amount of
12 the stimulus portion spent for those purposes shall not be considered.”.

13 **351.** Page 1742, line 23: after that line insert:

14 “(13f) RESTORATIVE JUSTICE GRANT. From the appropriation to the department
15 of administration under section 20.505 (6) (br), as created by this act, the office of
16 justice assistance shall award \$50,000 to Restorative Justice Programs, Inc., in the
17 first fiscal year of the fiscal biennium in which this subsection takes effect for
18 restorative justice programs.”.

19 **352.** Page 1743, line 15: after that line insert:

20 “(1f) SOIL AND WATER MANAGEMENT FUNDING. Notwithstanding section 16.42 (1)
21 (e) of the statutes, in submitting information under section 16.42 of the statutes for
22 the purposes of the 2011–13 biennial budget bill, the department of agriculture,
23 trade and consumer protection shall submit information concerning the
24 appropriation under section 20.115 (7) (qf) of the statutes as though the amount

1 appropriated for the 2010–11 fiscal year had been \$308,000 more than was actually
2 appropriated.”.

3 **353.** Page 1752, line 4: delete “OF” and substitute “of”.

4 **354.** Page 1752, line 9: delete the material beginning with “School” and
5 ending with “\$47,346,000” on line 10 and adjust the appropriate totals accordingly.

6 **355.** Page 1754, line 3: delete lines 3 and 4 and adjust the appropriate totals
7 accordingly.

8 **356.** Page 1756, line 7: delete lines 7 and 8 and adjust the appropriate totals
9 accordingly.

10 **357.** Page 1768, line 23: delete “P.L.” and substitute “Public Law”.

11 **358.** Page 1779, line 14: delete “48.658” and substitute “48.659”.

12 **359.** Page 1780, line 18: delete “48.658” and substitute “48.659”.

13 **360.** Page 1780, line 22: after that line insert:

14 “(7u) RACINE CHILD CARE PILOT PROGRAM.

15 (a) *Grant.* From the appropriation account under section 20.437 (2) (fm) of the
16 statutes, as created by this act, the department of children and families shall provide
17 a grant of \$128,500 in each of fiscal years 2009–10 and 2010–11 to a day care center
18 in Racine County that meets the qualifications specified in paragraph (b). The day
19 care center shall use the moneys to supplement the salaries of its staff members who
20 provide care and supervision for children and who hold not less than an associate
21 degree in early childhood education or child care so that those staff members are paid
22 not less than \$12.50 per hour.

1 (b) *Qualifications.* A day care center is qualified to receive a grant under
2 paragraph (a) if the day care center satisfies all of the following qualifications:

3 1. Not less than 80 percent of the children receiving care and supervision from
4 the day care center have family incomes that do not exceed 150 percent of the poverty
5 line, as defined in section 49.001 (5) of the statutes.

6 2. Not less than 50 percent of the staff members of the day care center who
7 provide care and supervision for children have been awarded the Child Development
8 Associate Credential from the Council for Professional Recognition.

9 3. The day care center has a favorable rating on the Early Childhood
10 Environment Rating Scale–Revised Edition (Harms, Cryer, and Clifford 1998) or the
11 Infant/Toddler Environment Rating Scale–Revised Edition (Harms, Cryer, and
12 Clifford 2006).

13 4. The day care center employs a staff member to oversee curriculum
14 development.

15 5. The day care center funds the provision of lesson plan supplies.

16 6. The day care center employs a staff member to provide family support for the
17 families of children receiving care and supervision from the day care center,
18 including referrals to agencies providing services for families, emergency funds,
19 parent education, and crisis management.

20 7. The day care center provides developmental assessments of the children
21 receiving care and supervision from the day care center.

22 8. The day care center provides programming to support the social and
23 emotional growth and development of the children receiving care and supervision
24 from the day care center.

1 9. The day care center has committed no, or only minor, violations of the
2 statutes, rules promulgated by the department of children and families under
3 section 48.67 of the statutes, as affected by this act, or provisions of licensure under
4 section 48.70 (1) of the statutes, as determined by the department of children and
5 families.

6 10. The day care center provides benefits, such as vacation pay, sick leave,
7 personal leave, and health insurance, for its staff members.

8 (c) *Evaluation.* After the pilot program under this subsection has been in
9 operation for 2 years, the department of children and families shall evaluate the pilot
10 program to determine whether the increased compensation provided under the pilot
11 program has been effective in improving staff retention and the quality of the child
12 care provided at the day care center participating in the program. By December 1,
13 2011, the department shall submit a report of its evaluation to the governor and to
14 the appropriate standing committees of the legislature in the manner provided in
15 section 13.172 (3) of the statutes.”.

16 **361.** Page 1795, line 21: after that line insert:

17 “(17q) GRANT TO PLEASANT PRAIRIE TECHNOLOGY INCUBATOR CENTER. In the
18 2011–13 fiscal biennium, but not later than July 31, 2011, from the appropriation
19 under section 20.143 (1) (c) of the statutes, as affected by this act, the department of
20 commerce shall award to Pleasant Prairie Technology Incubator Center a grant of
21 \$700,000, if Pleasant Prairie Technology Incubator Center obtains at least an
22 additional \$700,000 in funding from sources other than the state and enters into a
23 written agreement with the department of commerce that does all of the following:

1 (a) Specifies conditions for the use of the proceeds of the grant, including
2 reporting and auditing requirements.

3 (b) Requires Pleasant Prairie Technology Incubator Center to submit to the
4 department, within 6 months after spending the full amount of the grant, a report
5 detailing how the proceeds of the grant were used.

6 (17r) CONTRACTOR REGISTRATION RULES. Using the procedure under section
7 227.24 of the statutes, the department of commerce may promulgate rules required
8 under section 101.147 (2) of the statutes, as created by this act, for the period before
9 the effective date of the permanent rules promulgated under section 101.147 (2) of
10 the statutes, as created by this act, but not to exceed the period authorized under
11 section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a),
12 (2) (b), and (3) of the statutes, the department of commerce is not required to provide
13 evidence that promulgating a rule under this subsection as an emergency rule is
14 necessary for the preservation of public peace, health, safety, or welfare and is not
15 required to provide a finding of emergency for a rule promulgated under this
16 subsection.”.

17 **362.** Page 1800, line 10: delete lines 10 to 16.

18 **363.** Page 1801, line 9: after that line insert:

19 “(2q) PENSION STUDY. The department of employee trust funds shall study the
20 impact of increasing the initial amount of the normal form annuity under section
21 40.23 (2m) (b) of the statutes from 65 percent to 70 percent of the participant’s final
22 average earnings for participants whose formula rate is determined under section
23 40.23 (2m) (e) 3. of the statutes.”.

24 **364.** Page 1815, line 6: after that line insert:

1 “(11c) REPORT ON COVERING PODIATRISTS’ SERVICES. The department of health
2 services shall prepare, and no later than August 15, 2009, submit to the joint
3 committee on finance, a report that details the fiscal impact of covering podiatric
4 medicine and surgery services of podiatrists, as defined in section 448.60 (3) of the
5 statutes, under BadgerCare Plus for individuals enrolled in the childless adults
6 demonstration project under section 49.45 (23) of the statutes.”.

7 **365.** Page 1815, line 6: after that line insert:

8 “(11q) JOINT COMMITTEE ON FINANCE REVIEW OF MEDICAL ASSISTANCE SPENDING
9 PLAN. The department of health services shall by August 1, 2009, submit a plan to
10 the joint committee on finance for administering the Medical Assistance Program
11 under subchapter IV of chapter 49 of the statutes and the prescription drug
12 assistance program for the elderly under section 49.688 of the statutes in the
13 2009–11 fiscal biennium within the funding appropriated for these programs under
14 this act. The plan shall include a description of the measures the department intends
15 to implement to realize cost efficiencies and cost reductions in the Medical Assistance
16 Program and the prescription drug assistance program for the elderly. The plan shall
17 include an estimate of savings in state and federal expenditures, by fiscal year, for
18 each component of the plan and for the plan as a whole. The department may
19 implement the plan unless the committee, by September 1, 2009, approves an
20 alternative plan for administering the Medical Assistance Program and the
21 prescription drug assistance program for the elderly within the funding
22 appropriated for these programs under this act. If the committee meets to review the
23 department’s plan and approves an alternative plan by September 1, 2009, the
24 department shall implement the alternative plan.”.

1 **366.** Page 1816, line 5: delete “legislative audit bureau shall” and substitute
2 “joint legislative audit committee is requested to direct the legislative audit bureau
3 to”.

4 **367.** Page 1816, line 7: delete “The audit” and substitute “If the committee
5 directs the legislative audit bureau to conduct the audit, the audit”.

6 **368.** Page 1816, line 17: delete “legislative audit bureau shall” and substitute
7 “joint legislative audit committee is requested to direct the legislative audit bureau
8 to”.

9 **369.** Page 1816, line 19: delete “The audit” and substitute “If the committee
10 directs the legislative audit bureau to conduct the audit, the audit”.

11 **370.** Page 1816, line 21: delete “The audit” and substitute “If conducted, the
12 audit”.

13 **371.** Page 1816, line 23: delete lines 23 to 25 and substitute:

14 “(cm) *Report.* If an audit is conducted under paragraph (a) or (b), the legislative
15 audit bureau shall file a report of the audit as described in section 13.94 (1) of the
16 statutes by July 1, 2010.”.

17 **372.** Page 1816, line 25: after that line insert:

18 “(5q) JOINT LEGISLATIVE COUNCIL STUDY ON LEGAL NOTICES. The joint legislative
19 council is requested to create a study committee on the use of the Internet to post
20 legal notices. If the joint legislative council conducts the study, it shall report its
21 findings, conclusions, and recommendations to the legislature in the manner
22 provided under section 13.172 (2) of the statutes by June 30, 2011.”.

23 **373.** Page 1817, line 15: after that line insert:

1 “(2c) EMERGENCY RULE; MILITARY FAMILY FINANCIAL AID. Using the procedure
2 under section 227.24 of the statutes, the department of military affairs shall
3 promulgate the rules described under section 321.45 (2) of the statutes, as created
4 by this act, for the period before the permanent rules become effective, but not to
5 exceed the period authorized under section 227.24 (1) (c) and (2) of the statutes.
6 Notwithstanding section 227.24 (1) (a), (2) (b), and (3) of the statutes, the department
7 of military affairs is not required to provide evidence that promulgating a rule under
8 this subsection as an emergency rule is necessary for the preservation of the public
9 peace, health, safety, or welfare and is not required to provide a finding of emergency
10 for the rules promulgated under this subsection.”.

11 **374.** Page 1819, line 5: delete lines 5 to 12.

12 **375.** Page 1819, line 18: delete lines 18 to 24.

13 **376.** Page 1821, line 3: delete lines 3 to 7.

14 **377.** Page 1821, line 8: delete lines 8 to 12.

15 **378.** Page 1821, line 12: after that line insert:

16 “(6f) FIRE SUPPRESSION GRANT. From the appropriation under section 20.370 (5)
17 (by) of the statutes, the department of natural resources in fiscal year 2009–10 shall
18 award a grant of \$108,000 under the fire suppression aid program established under
19 section 26.145 of the statutes to the village of Plum City for the Plum City–Township
20 of Union Fire Department. Notwithstanding section 26.145 (1) of the statutes, the
21 village of Plum City need not provide any matching funding or in–kind contributions.
22 Notwithstanding section 26.145 (2) (b) of the statutes, the village of Plum City need
23 not have entered an agreement with the department of natural resources to assist
24 the department in suppression of forest fires.

1 (6i) LAKE KOSHKONONG STUDY. In fiscal year 2009–10, the department shall
2 provide a grant of \$100,000 from the appropriations under section 20.370 (6) (ac) of
3 the statutes, as created by this act, and section 20.370 (6) (dq) of the statutes, as
4 affected by this act, to the Rock–Koshkonong public inland lake protection and
5 rehabilitation district for a comprehensive study of options and structures to
6 preserve wetlands, shoreline, fish and wildlife habitat, and the navigability of Lake
7 Koshkonong.

8 (6q) POSITIONS AT SERVICE CENTERS. The authorized FTE positions for the
9 department of natural resources are increased by 4.99 FED positions on April 1,
10 2010, to be funded from the appropriation under section 20.370 (9) (mz) of the
11 statutes, for the purpose of staffing walk–in service centers operated by the
12 department of natural resources.”.

13 **379.** Page 1821, line 18: delete “and the 2010–11 fiscal year”.

14 **380.** Page 1822, line 18: after that line insert:

15 “(3c) GRANTS FOR SCHOOL DISTRICT CONSOLIDATION.

16 (a) *Feasibility studies.*

17 1. A consortium of 2 or more school districts may apply to the department of
18 public instruction for a grant to conduct a school district consolidation feasibility
19 study. The consortium shall submit a plan identifying the school districts engaged
20 in the study, the issues the study will address, and how the grant funds will be
21 expended. A school district may not be a member of more than one consortium.

22 2. In the 2009–11 fiscal biennium, the department of public instruction shall
23 award grants to consortia from the appropriation under section 20.255 (2) (bs) of the

1 statutes, as affected by this act. The department may not award more than \$10,000
2 to any consortium.

3 3. The department of public instruction shall give priority to applications that
4 demonstrate prior attempts to address the underlying issues associated with
5 management and operation of the school districts' programs.

6 4. A consortium awarded a grant under this paragraph shall submit the results
7 of the study to the department of public instruction.

8 (b) *Consolidation award.* Notwithstanding paragraph (a), if a school district
9 in Barron County consolidates with a school district in Rusk County effective July
10 1, 2010, the department of public instruction shall award a grant in an amount equal
11 to the amount remaining on July 1, 2010, in the appropriation account under section
12 20.255 (2) (bs) of the statutes, as created by this act, to the consolidated school
13 district.

14 (3i) OPEN ENROLLMENT PROGRAM; LIMITS.

15 (a) Notwithstanding section 118.51 of the statutes, no school district located in
16 whole or in part in Milwaukee County may accept more pupils from the Milwaukee
17 Public Schools under the open enrollment program in the 2009–10 school year than
18 the school district accepted from the Milwaukee Public Schools under the open
19 enrollment program in the 2008–09 school year.

20 (b) Notwithstanding section 118.51 (16) (a) 3. and (b) of the statutes, the
21 amount that a school district located in whole or in part in Milwaukee County
22 receives for each pupil that it accepts from the Milwaukee Public Schools in the
23 2009–10 school year under the open enrollment program is the amount that the
24 school district received for each pupil that it accepted from the Milwaukee Public
25 Schools under the open enrollment program in the 2008–09 school year.”.

1 **381.** Page 1824, line 4: after that line insert:

2 “(7u) FIRST CLASS CITY SCHOOL DISTRICT; CONSTRUCTION PROJECTS. The board of
3 school directors in charge of the public schools of a 1st class city shall ensure that at
4 least 30 percent of the number of full–time equivalent employees hired to work on
5 school district construction projects funded in whole or in part with federal economic
6 stimulus funds, as defined in s. 16.705 (9) (a) of the statutes, as created by this act,
7 or by a federal interest rate subsidy on bonds, reside within the community
8 development block grant area located in the 1st class city, as determined by the board
9 of school directors.

10 (9i) SCHOOL DISTRICT GRANTS. From the appropriation under section 20.255 (2)
11 (de) of the statutes, as created by this act, in the 2009–10 fiscal year the department
12 of public instruction shall pay \$60,000 to each of the following school districts for the
13 specified purposes:

14 (a) Pepin Area, for 4–year–old kindergarten, technology improvements, and
15 technology to install a distance learning lab.

16 (b) Cochrane–Fountain City, for transportation, class–size reduction, and
17 comprehensive education.

18 (c) Plum City, for transportation and specialized instruction.

19 (9q) FOUR–YEAR–OLD KINDERGARTEN. From the appropriation under section
20 20.255 (2) (et) of the statutes, as created by this act, in the 2009–11 fiscal biennium
21 the department of public instruction shall award a \$500,000 grant to the Madison
22 Metropolitan School District to establish a 4–year–old kindergarten program.”.

23 **382.** Page 1825, line 17: delete “PROFITS TAX” and substitute “ASSESSMENT”.

24 **383.** Page 1825, line 25: after that line insert:

1 “(1q) EMERGENCY RULES CONCERNING WITHHOLDING AND WILLFUL
2 MISCLASSIFICATION BY CERTAIN CONTRACTORS. The department of revenue may
3 promulgate emergency rules under section 227.24 of the statutes relating to the
4 withholding requirements under section 71.64 (6m) of the statutes, as created by this
5 act, and to define “willful misclassification,” as that concept is used in section 71.65
6 (6) of the statutes, as created by this act. Notwithstanding section 227.24 (1) (a), (2)
7 (b), and (3) of the statutes, the department of revenue is not required to provide
8 evidence that promulgating a rule under this subsection as an emergency rule is
9 necessary for the preservation of the public peace, health, safety, or welfare and is
10 not required to provide a finding of emergency for a rule promulgated under this
11 subsection.”.

12 **384.** Page 1826, line 23: delete the material beginning with that line and
13 ending with page 1827, line 2.

14 **385.** Page 1828, line 6: after that line insert:

15 “(c) *Initial terms of Chippewa Valley regional transit authority.*
16 Notwithstanding the length of terms specified for members of the board of directors
17 of the Chippewa Valley regional transit authority under section 66.1039 (2) (c) and
18 (3) (a) of the statutes, as created by this act, the initial terms shall be 2 years for each
19 of the following:

20 1. One of the members appointed under section 66.1039 (3) (d) 1. b. of the
21 statutes, as created by this act.

22 2. One of the members appointed under section 66.1039 (3) (d) 1. c. of the
23 statutes, as created by this act, if applicable.

1 3. Each member appointed under section 66.1039 (3) (d) 1. d. of the statutes,
2 as created by this act.

3 (d) *Initial terms of Fox Valley regional transit authority.* Notwithstanding the
4 length of terms specified for members of the board of directors of the Fox Valley
5 regional transit authority under section 66.1039 (2) (d) and (3) (a) of the statutes, as
6 created by this act, the initial terms shall be 2 years for each of the following:

7 1. One member from each county appointed under section 66.1039 (3) (e) 1. b.
8 of the statutes, as created by this act.

9 2. One of the members appointed under section 66.1039 (3) (e) 1. c. of the
10 statutes, as created by this act.”.

11 **386.** Page 1831, line 15: delete “KRM” and substitute “SOUTHEASTERN
12 REGIONAL TRANSIT”.

13 **387.** Page 1831, line 16: delete “KRM” and substitute “southeastern regional
14 transit”.

15 **388.** Page 1832, line 6: after “resources.” insert “In preparing this discussion,
16 the department of transportation shall allow and consider public comment on each
17 scenario.”.

18 **389.** Page 1834, line 5: after that line insert:

19 “(10g) EISNER AVENUE PROJECT IN SHEBOYGAN COUNTY. Notwithstanding
20 limitations on the amount and use of aids provided under section 86.31 of the
21 statutes, as affected by this act, or on eligibility requirements for receiving aids
22 under section 86.31 of the statutes, as affected by this act, the department of
23 transportation shall award a grant of \$500,000 in the 2009–11 fiscal biennium to the
24 city of Sheboygan in Sheboygan County for the rehabilitation of Eisner Avenue in

1 Sheboygan County if the city of Sheboygan and the town of Sheboygan in Sheboygan
2 County reach an agreement on the amount of funds to be contributed by each toward
3 the total local share of the project costs. Payment of the grant under this subsection
4 shall be made from the appropriation under section 20.395 (2) (ft) of the statutes
5 equally from funds allocated under section 86.31 (3m) of the statutes, as affected by
6 this act, and from funds allocated under section 86.31 (3r) of the statutes, as affected
7 by this act, and is in addition to the city of Sheboygan’s entitlement, as defined in
8 section 86.31 (1) (ar) of the statutes, to aids under section 86.31 of the statutes, as
9 affected by this act.

10 (10x) TRANSPORTATION ENHANCEMENTS GRANT TO DOUGLAS COUNTY. Prior to July
11 1, 2011, from the appropriation under section 20.395 (2) (nx) of the statutes, the
12 department of transportation shall award a grant under section 85.026 (2) of the
13 statutes to Douglas County for the addition of bicycle lanes to CTH “B.” The amount
14 of the grant awarded under this subsection shall be \$400,000 or 80 percent of the
15 total cost of the project, whichever is less. The department may not rescind the grant
16 under this subsection unless Douglas County informs the department that it does not
17 intend to go forward with the project.

18 (11f) GRANT TO TOWN OF STOCKTON RAILROAD CROSSING IMPROVEMENTS. In the
19 2009–11 fiscal biennium, from the appropriation under section 20.395 (2) (gr) of the
20 statutes, as affected by this act, the department of transportation shall award a grant
21 of \$175,000 to the town of Stockton in Portage County for railroad crossing
22 improvements at the intersection of Old Highway 18 and the Canadian National
23 Railroad tracks.

24 (11u) SHARED USE OF ADMINISTRATIVE FACILITIES IN OR NEAR CITY OF TOMAH.
25 During the 2009–11 fiscal biennium, the department of transportation shall consult

1 with the department of natural resources concerning the shared use of
2 administrative facilities used by the state traffic patrol and the department of
3 natural resources in or near the city of Tomah.”.

4 **390.** Page 1835, line 11: after that line insert:

5 “(3g) DIRECTOR OF WISCONSIN INSTITUTE FOR SUSTAINABLE TECHNOLOGY. Of the
6 moneys appropriated to the Board of Regents of the University of Wisconsin System
7 under section 20.285 (1) (s) of the statutes, as created by this act, for the 2009–10 and
8 2010–11 fiscal years, the board shall allocate \$110,000 in each fiscal year to the
9 Wisconsin Institute for Sustainable Technology at the University of
10 Wisconsin–Stevens Point to provide funding for the position of the director of the
11 institute, but only if federal funds are not available to provide the funding.”.

12 **391.** Page 1836, line 1: delete lines 1 to 8.

13 **392.** Page 1840, line 22: after that line insert:

14 “(2q) MILWAUKEE AREA WORKFORCE INVESTMENT BOARD. From the appropriation
15 account under section 20.445 (1) (fr) of the statutes, as created by this act, the
16 department of workforce development shall provide a grant in the amount of
17 \$2,000,000 during the 2009–11 state fiscal biennium to the Milwaukee Area
18 Workforce Investment Board, Inc., if during that biennium the city of Milwaukee also
19 provides a grant in the amount of \$1,500,000 to that board.

20 (3i) CONSTRUCTION CONTRACTORS; EMERGENCY RULES. Using the procedures
21 under section 227.24 of the statutes, the department of workforce development may
22 promulgate the rules required under section 111.327 of the statutes, as created by
23 this act, for the period before the effective date of the permanent rules promulgated
24 under that section, but not to exceed the period authorized under section 227.24 (1)

1 (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a) and (3) of the
2 statutes, the department is not required to provide evidence that promulgating a rule
3 under this subsection as an emergency rule is necessary for the preservation of the
4 public peace, health, safety, or welfare and is not required to provide a finding of
5 emergency for a rule promulgated under this subsection.”.

6 **393.** Page 1841, line 1: delete “893.80” and substitute “893.82”.

7 **394.** Page 1841, line 15: delete “employe” and substitute “employee”.

8 **395.** Page 1842, line 5: after that line insert:

9 “(2i) REQUIRED GENERAL FUND STRUCTURAL BALANCE. Section 20.003 (4m) of the
10 statutes shall not apply to the 2010–11 fiscal year.”.

11 **396.** Page 1844, line 20: after that line insert:

12 “(1f) PETROLEUM INSPECTION FUND TRANSFER TO TRANSPORTATION FUND. There is
13 transferred from the petroleum inspection fund to the transportation fund
14 \$10,000,000 in fiscal year 2009–10 and \$27,000,000 in fiscal year 2010–11.”.

15 **397.** Page 1845, line 3: before that line insert:

16 “(3f) DEVELOPMENT FUND; LAPSE. Notwithstanding section 20.001 (3) (b) of the
17 statutes, on July 1, 2010, there is lapsed to the general fund \$14,850,000 from the
18 appropriation account of the department of commerce under section 20.143 (1) (tm)
19 of the statutes, as affected by the acts of 2009.”.

20 **398.** Page 1852, line 9: delete “\$9,764,000” and substitute “\$11,378,100”.

21 **399.** Page 1852, line 10: delete “\$9,764,000” and substitute “\$11,392,200”.

22 **400.** Page 1854, line 22: delete the material beginning with “each” and ending
23 with “effect” on line 23 and substitute “fiscal year 2009–10”.

1 **401.** Page 1855, line 22: delete the material beginning with that line and
2 ending with page 1856, line 7.

3 **402.** Page 1860, line 16: after “(title)” insert “and (c) (intro.) and 3. and 49.159
4 (4)”.

5 **403.** Page 1860, line 17: after “(a)” insert “and (b)”.

6 **404.** Page 1861, line 12: delete lines 12 to 14.

7 **405.** Page 1861, line 19: after that line insert:

8 “(4c) The treatment of sections 802.03 (9) and 846.35 (1) (c), (4), and (5) of the
9 statutes, the renumbering of section 799.41 of the statutes, and the creation of
10 section 799.41 (2) of the statutes, first apply to actions commenced on the effective
11 date of this subsection.”.

12 **406.** Page 1863, line 17: on lines 17 and 21, delete “and 8.”.

13 **407.** Page 1866, line 3: after that line insert:

14 “(1q) REIMBURSEMENT OF VETERANS AND DEPENDENTS. The treatment of sections
15 20.235 (1) (fz), 36.27 (3n) (b) (intro.) and (bm) and (3p) (b) and (bm), 38.24 (7) (b)
16 (intro.) and (bm) and (8) (b) and (bm), and 39.50 (3m) (title) and (4) of the statutes
17 first applies to a student who is enrolled in the spring 2010 semester.”.

18 **408.** Page 1866, line 11: delete lines 11 to 15.

19 **409.** Page 1873, line 17: delete lines 17 to 19.

20 **410.** Page 1874, line 25: after that line insert:

21 “(5c) MILITARY FAMILY RELIEF FUND CHECKOFF. The treatment of section 71.10 (5i)
22 of the statutes first applies to taxable years beginning on January 1 of the year in
23 which this subsection takes effect, except that if this subsection takes effect after

1 July 31 the treatment of section 71.10 (5i) of the statutes first applies to taxable years
2 beginning on January 1 of the year following the year in which this subsection takes
3 effect.”.

4 **411.** Page 1875, line 1: delete “PROFITS TAX” and substitute “ASSESSMENT”.

5 **412.** Page 1875, line 3: delete “after September” and substitute “on August”.

6 **413.** Page 1875, line 3: after that line insert:

7 “(6q) SECOND HARVEST FOOD BANKS. The treatment of section 71.10 (5j) of the
8 statutes first applies to taxable years beginning on January 1 of the year in which
9 this subsection takes effect, except that if this subsection takes effect after July 31
10 the treatment of section 71.10 (5j) of the statutes first applies to taxable years
11 beginning on January 1 of the year following the year in which this subsection takes
12 effect.”.

13 **414.** Page 1876, line 16: after “(2) (a),” insert “(2m)”.

14 **415.** Page 1876, line 16: delete “(6) (b)” and substitute “(6) (a), (b), and (c) 1.”.

15 **416.** Page 1876, line 24: delete the material beginning with that line and
16 ending with page 1877, line 7.

17 **417.** Page 1877, line 10: after that line insert:

18 “(21g) STUDENT HOUSING FACILITIES. The treatment of section 70.11 (3m) of the
19 statutes first applies to the property tax assessments as of January 1, 2010.”.

20 **418.** Page 1878, line 24: delete the material beginning with that line and
21 ending with page 1879, line 2.

22 **419.** Page 1880, line 24: after that line insert:

1 “(1f) LOW-INCOME ASSISTANCE. The repeal of section 16.957 (2) (d) 2g. and 2r. of
2 the statutes and the repeal and recreation of section 16.957 (2) (a) of the statutes take
3 effect on June 30, 2012.”.

4 **420.** Page 1881, line 2: after that line insert:

5 “(4g) RESTORATIVE JUSTICE. The repeal of section 20.505 (6) (br) of the statutes
6 takes effect on July 1, 2010.”.

7 **421.** Page 1885, line 9: after “(1)” insert “and (2)”.

8 **422.** Page 1887, line 5: after that line insert:

9 “(3c) RETAIL TOBACCO STORES. The treatment of section 101.123 (1) (gg) of the
10 statutes takes effect on July 5, 2010.”.

11 **423.** Page 1887, line 22: delete lines 22 to 24.

12 **424.** Page 1887, line 24: after that line insert:

13 “(1h) PENSION STUDY. The repeal of section 20.515 (1) (bd) of the statutes takes
14 effect on July 1, 2010.”.

15 **425.** Page 1891, line 16: after that line insert:

16 “(1q) REIMBURSEMENT OF VETERANS AND DEPENDENTS. The treatment of sections
17 20.235 (1) (fz), 36.27 (3n) (b) (intro.) and (bm) and (3p) (b) and (bm), 38.24 (7) (b)
18 (intro.) and (bm) and (8) (b) and (bm), and 39.50 (3m) (title) and (4) of the statutes
19 takes effect on January 1, 2010.”.

20 **426.** Page 1893, line 2: after that line insert:

21 “(1j) CRIME VICTIM AND WITNESS SURCHARGE. The treatment of section 20.455 (5)
22 (g) (by SECTION 537c) and (gc) (by SECTION 538c) of the statutes and the repeal and
23 recreation of section 973.045 (2m) of the statutes take effect on July 1, 2011.”.

