



**CONFERENCE AMENDMENT 1,
TO SENATE SUBSTITUTE AMENDMENT 1,
TO 2009 ASSEMBLY BILL 75**

June 25, 2009 – Offered by COMMITTEE OF CONFERENCE ON ASSEMBLY BILL 75.

- 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 2, line 11: delete the material beginning with that line and ending with
- 5 page 3, line 2.
- 6 **3.** Page 4, line 18: delete the material beginning with that line and ending with
- 7 page 5, line 2.
- 8 **4.** Page 16, line 19: delete that line.
- 9 **5.** Page 18, line 6: delete lines 6 to 18.
- 10 **6.** Page 24, line 4: after that line insert:
- 11 “SECTION 40w. 15.793 of the statutes is created to read:

1 **15.793 Same; attached council. (1)** 911 COUNCIL. (a) There is created a 911
2 council attached to the public service commission under s. 15.03. The council shall
3 consist of the following members appointed for 3–year terms by the public service
4 commission:

5 1. One member recommended by the League of Wisconsin Municipalities.

6 2. One member recommended by the Wisconsin Counties Association.

7 3. One member recommended by the Wisconsin Chapter of the National
8 Emergency Number Association.

9 4. One member recommended by the Badger State Sheriff's Association.

10 5. Two members who are representatives of commercial mobile radio service
11 providers, as defined in s. 196.01 (2g), operating in this state.

12 6. One member recommended by the Wisconsin Chapter of the Association of
13 Public Safety Communications Officials.

14 7. Two members recommended by the Wisconsin State Telecommunications
15 Association, one of whom is a representative of a local exchange carrier with fewer
16 than 50,000 access lines.

17 8. One member who is a representative of a voice over Internet protocol
18 provider.

19 9. One police chief member recommended by the Wisconsin Chiefs of Police
20 Association.

21 10. One fire chief member recommended by the Wisconsin State Fire Chiefs
22 Association.

23 11. One member recommended by the Wisconsin Emergency Management
24 Association.

25 12. One member who is a representative of the cable industry.

1 13. One member recommended by the Wisconsin Emergency Medical Services
2 Association.

3 (b) The 911 council shall meet at least twice annually. No member or staff of
4 the public service commission may serve as chairperson or vice chairperson of the 911
5 council. Members of the 911 council shall undertake their duties in a manner that
6 is competitively and technologically neutral to all service providers. The council
7 shall adopt guidelines for reimbursement of member expenses under s. 15.09 (6).

8 (c) The 911 council shall advise the public service commission administering
9 the 911 fund and on administering the 911 grant program and surcharge and
10 developing the statewide plan for enhanced 911 service under s. 256.35 (3g), on any
11 related rules, and on any other matters assigned to the council by the commission.”.

12 **7.** Page 26, line 23: after that line insert:

13 “**SECTION 53n.** 16.18 (2) (f) of the statutes is created to read:
14 16.18 (2) (f) General operations.”.

15 **8.** Page 28, line 2: after that line insert:

16 “**SECTION 73L.** 16.40 (25) of the statutes is created to read:

17 16.40 (25) SUBMISSION OF AGENCY REQUESTS TO LEGISLATURE. During January of
18 the odd-numbered year, the department shall submit copies of the state agency
19 reports under s. 16.42 (1) (a) and (b) to the joint committee on finance and to the chief
20 clerk of each house of the legislature under s. 13.172 (3), for distribution to the
21 appropriate standing committees in the senate and the assembly that have
22 jurisdiction over the state agencies.”.

23 **9.** Page 28, line 22: delete the material beginning with that line and ending
24 with page 29, line 2.

1 **10.** 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 **11.** Page 34, line 4: after that line insert:

5 “(cm) Paragraph (b) shall not apply to contracts entered into under s. 977.08.”.

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

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

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

11 16.957 (2) (a) *Low-income programs.* After holding a hearing, establish
12 programs to be administered by the department for awarding grants from the
13 appropriation under s. 20.505 (3) (r) to provide low-income assistance. In each fiscal
14 year, the amount awarded under this paragraph shall be sufficient to ensure that an
15 amount equal to 47% of the sum of the following, or the amount determined under
16 par. (d) 2m., is spent for weatherization and other energy conservation services:

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

18 16.957 (2) (d) 2m. In fiscal years 2009–10 and 2010–11, at the department’s
19 discretion, subtract no more than \$10,000,000 from the amount required to be spent
20 on weatherization and other energy conservation services under par. (a).

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

23 **14.** Page 45, line 10: delete the material beginning with “between” and ending
24 with “entity” on line 11.

1 **25.** Page 81, line 9: after “financing” insert “and grants”.

2 **26.** Page 81, line 9: increase the dollar amount for fiscal year 2009–10 by
3 \$300,000 and increase the dollar amount for fiscal year 2010–11 by \$300,000 for the
4 purpose for which the appropriation is made.

5 **27.** Page 81, line 9: delete “A” and substitute “B”.

6 **28.** Page 95, line 1: after that line insert:

7 “(q) Environmental education SEG A 74,800 97,600”.

8 **29.** Page 95, line 3: increase the dollar amount for fiscal year 2009–10 by
9 \$40,278,000 and increase the dollar amount for fiscal year 2010–11 by \$221,000,000
10 to increase funding for the purposes for which the appropriation is made.

11 **30.** Page 95, line 5: increase the dollar amount for fiscal year 2010–11 by
12 \$11,431,000 to increase funding for the purpose for which the appropriation is made.

13 **31.** Page 96, line 2: after that line insert:

14 “(ch) Full–time open enrollment; sup-
15 plement GPR S –0– –0–”.

16 **32.** Page 96, line 14: after that line insert:

17 “(de) School district grants GPR A 180,000 –0–”.

18 **33.** Page 96, line 23: increase the dollar amount for fiscal year 2010–11 by
19 \$1,500,000 to increase funding for the purpose for which the appropriation is made.

20 **34.** Page 98, line 18: increase the dollar amount for fiscal year 2009–10 by
21 \$4,700 and increase the dollar amount for fiscal year 2010–11 by \$4,700 to increase
22 funding for the purpose for which the appropriation is made.

23 **35.** Page 103, line 24: after that line insert:

1 “(rm) Environmental program grants
2 and scholarships SEG A 200,000 200,000”.

3 **36.** Page 104, line 1: increase the dollar amount for fiscal year 2009–10 by
4 \$110,000 and increase the dollar amount for fiscal year 2010–11 by \$110,000 for the
5 purpose for which the appropriation is made.

6 **37.** Page 107, line 1: delete “A” and substitute “B”.

7 **38.** Page 119, line 10: decrease the dollar amount for fiscal year 2009–10 by
8 \$14,100 and decrease the dollar amount for fiscal year 2010–11 by \$14,100 for the
9 purpose of decreasing funding for the payment of overtime to wardens.

10 **39.** Page 119, line 10: delete “training”.

11 **40.** Page 119, line 12: decrease the dollar amount for fiscal year 2009–10 by
12 \$6,000 and decrease the dollar amount for fiscal year 2010–11 by \$6,000 for the
13 purpose of decreasing funding for the payment of overtime to wardens.

14 **41.** Page 119, line 16: decrease the dollar amount for fiscal year 2009–10 by
15 \$1,500 and decrease the dollar amount for fiscal year 2010–11 by \$1,500 for the
16 purpose of decreasing funding for the payment of overtime to wardens.

17 **42.** Page 120, line 18: decrease the dollar amount for fiscal year 2009–10 by
18 \$5,500 and decrease the dollar amount for fiscal year 2010–11 by \$5,500 for the
19 purpose of decreasing funding for the payment of overtime to wardens.

20 **43.** Page 120, line 20: decrease the dollar amount for fiscal year 2009–10 by
21 \$1,600 and decrease the dollar amount for fiscal year 2010–11 by \$1,600 for the
22 purpose of decreasing funding for the payment of overtime to wardens.

1 **64.** 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 **65.** Page 169, line 2: decrease the dollar amount for fiscal year 2010–11 by
5 \$185,800 to decrease funding for the purpose of expanding the Family Care program
6 to Langlade County.

7 **66.** Page 169, line 2: increase the dollar amount for fiscal year 2009–10 by
8 \$2,000,000 and increase the dollar amount for fiscal year 2010–11 by \$2,000,000 to
9 increase funding for the purposes for which the appropriation is made.

10 **67.** Page 169, line 2: increase the dollar amount for fiscal year 2009–10 by
11 \$1,301,300 and increase the dollar amount for fiscal year 2010–11 by \$1,296,300 for
12 the purpose of increasing funding for benefits under section 49.46 (2) (b) 6. e. of the
13 statutes.

14 **68.** Page 169, line 2: decrease the dollar amount for fiscal year 2009–10 by
15 \$7,000,000 and decrease the dollar amount for fiscal year 2010–11 by \$7,000,000 to
16 decrease funding for the purposes for which the appropriation is made.

17 **69.** Page 169, line 5: decrease the dollar amount for fiscal year 2009–10 by
18 \$50,000 and decrease the dollar amount for fiscal year 2010–11 by \$35,000 to
19 decrease funding for the purposes for which the appropriation is made.

20 **70.** Page 172, line 3: decrease the dollar amount for fiscal year 2009–10 by
21 \$1,409,000 and decrease the dollar amount for fiscal year 2010–11 by \$1,311,000 to
22 decrease funding for the purposes for which the appropriation is made.

1 **78.** Page 191, line 4: increase the dollar amount for fiscal year 2009–10 by
2 \$41,400 and increase the dollar amount for fiscal year 2010–11 by \$41,400 for the
3 purposes for which the appropriation is made.

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

7 **80.** Page 191, line 9: increase the dollar amount for fiscal year 2009–10 by
8 \$29,200 and increase the dollar amount for fiscal year 2010–11 by \$29,200 for the
9 purposes for which the appropriation is made.

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

13 **82.** Page 192, line 2: increase the dollar amount for fiscal year 2009–10 by
14 \$875,500 and increase the dollar amount for fiscal year 2010–11 by \$875,500 for the
15 purposes for which the appropriation is made.

16 **83.** Page 192, line 3: increase the dollar amount for fiscal year 2009–10 by
17 \$4,300 and increase the dollar amount for fiscal year 2010–11 by \$4,300 for the
18 purposes for which the appropriation is made.

19 **84.** Page 192, line 12: increase the dollar amount for fiscal year 2009–10 by
20 \$12,800 and increase the dollar amount for fiscal year 2010–11 by \$12,800 for the
21 purpose for which the appropriation is made.

1 **85.** Page 192, line 20: increase the dollar amount for fiscal year 2009–10 by
2 \$238,800 and increase the dollar amount for fiscal year 2010–11 by \$238,800 for the
3 purposes for which the appropriation is made.

4 **86.** Page 193, line 1: increase the dollar amount for fiscal year 2009–10 by
5 \$139,200 and increase the dollar amount for fiscal year 2010–11 by \$139,200 for the
6 purposes for which the appropriation is made.

7 **87.** Page 193, line 10: increase the dollar amount for fiscal year 2009–10 by
8 \$12,500 and increase the dollar amount for fiscal year 2010–11 by \$12,500 for the
9 purposes for which the appropriation is made.

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

13 **89.** Page 194, line 18: delete “A” and substitute “C”.

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

15 **91.** Page 195, line 5: increase the dollar amount for fiscal year 2009–10 by
16 \$58,800 and increase the dollar amount for fiscal year 2010–11 by \$58,800 for the
17 purposes for which the appropriation is made.

18 **92.** Page 195, line 6: increase the dollar amount for fiscal year 2009–10 by
19 \$64,600 and increase the dollar amount for fiscal year 2010–11 by \$64,600 for the
20 purposes for which the appropriation is made.

21 **93.** Page 195, line 8: increase the dollar amount for fiscal year 2009–10 by
22 \$73,000 and increase the dollar amount for fiscal year 2010–11 by \$73,000 for the
23 purposes for which the appropriation is made.

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

4 **95.** Page 195, line 17: increase the dollar amount for fiscal year 2009–10 by
5 \$2,700 and increase the dollar amount for fiscal year 2010–11 by \$2,700 for the
6 purpose for which the appropriation is made.

7 **96.** Page 195, line 18: increase the dollar amount for fiscal year 2009–10 by
8 \$15,400 and increase the dollar amount for fiscal year 2010–11 by \$15,400 for the
9 purposes for which the appropriation is made.

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

13 **98.** Page 196, line 3: increase the dollar amount for fiscal year 2009–10 by
14 \$26,100 and increase the dollar amount for fiscal year 2010–11 by \$26,100 for the
15 purposes for which the appropriation is made.

16 **99.** Page 196, line 4: increase the dollar amount for fiscal year 2009–10 by
17 \$25,100 and increase the dollar amount for fiscal year 2010–11 by \$25,100 for the
18 purposes for which the appropriation is made.

19 **100.** Page 197, line 17: after that line insert:

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

21 **101.** Page 200, line 3: decrease the dollar amount for fiscal year 2009–10 by
22 \$9,139,700 and decrease the dollar amount for fiscal year 2010–11 by \$9,139,700 for
23 the purpose for which the appropriation is made.

1 “(be) Study of engineering GPR A 1,666,700 1,666,700”.

2 **111.** Page 245, line 13: increase the dollar amount for fiscal year 2009–10 by
3 \$5,000 for the purpose for which the appropriation is made.

4 **112.** Page 245, line 15: after that line insert:

5 “(ge) Feeding America; Second Har-

6 vest food banks PR C –0– –0–”.

7 **113.** Page 262, line 20: delete “personnel.” and substitute “personnel.”.

8 **114.** Page 264, line 1: delete lines 1 to 5.

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

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

11 **117.** Page 265, line 18: delete “section” and substitute “Sections”.

12 **118.** Page 272, line 5: after that line insert:

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

14 20.155 (1) (j) *Intervenor financing and grants.* The Biennially, the amounts in
15 the schedule for intervenor financing and grants under s. 196.31. All moneys
16 received for intervenor financing under s. 196.31 (2) shall be credited to this
17 appropriation.”.

18 **119.** Page 272, line 5: after that line insert:

19 “**SECTION 225d.** 20.155 (3) (r) of the statutes is created to read:

20 20.155 (3) (r) *Enhanced 911 grants.* From the 911 fund, all moneys received
21 under s. 256.35 (3g) (a) 4. a. to award grants under and administer the requirements
22 of s. 256.35 (3g). In a fiscal year, no more than 1 percent of the moneys received under
23 s. 256.35 (3g) (a) 4. a. may be used for administrative purposes.”.

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

2 **121.** Page 272, line 9: after that line insert:

3 “**SECTION 225L.** 20.155 (3) (t) of the statutes, as created by 2009 Wisconsin Act
4 (this act), is repealed.”.

5 **122.** Page 276, line 7: after that line insert:

6 “**SECTION 240b.** 20.255 (1) (q) of the statutes is created to read:

7 20.255 (1) (q) *Environmental education.* From income and interest in the
8 normal school fund, the amounts in the schedule for an environmental education
9 consultant in the department.”.

10 **123.** Page 276, line 11: after that line insert:

11 “**SECTION 242d.** 20.255 (2) (ch) of the statutes is created to read:

12 20.255 (2) (ch) *Full-time open enrollment; supplement.* A sum sufficient for
13 payments to school districts under s. 118.51 (16) (e).”.

14 **124.** Page 276, line 11: after that line insert:

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

16 20.255 (2) (de) *School district grants.* The amounts in the schedule for grants
17 to school districts under 2009 Wisconsin Act (this act), section 9139 (9i). No money
18 may be encumbered from this appropriation after June 30, 2010.”.

19 **125.** Page 281, line 21: delete “and”.

20 **126.** Page 281, line 23: delete the material beginning with “date], the” and
21 ending with “2007,” on line 24 and substitute “date].”.

22 **127.** Page 284, line 11: after that line insert:

23 “**SECTION 261w.** 20.285 (1) (rm) of the statutes is created to read:

1 20.285 (1) (rm) *Environmental program grants and scholarships*. From income
2 and interest in the normal school fund, the amounts in the schedule for grants and
3 scholarships under s. 36.49.”.

4 **128.** Page 286, line 19: after that line insert:

5 “**SECTION 270m.** 20.370 (3) (aq) of the statutes is amended to read:

6 20.370 (3) (aq) *Law enforcement — snowmobile enforcement and safety*
7 *training*. The amounts in the schedule from the snowmobile account in the
8 conservation fund for state law enforcement operations under ss. 350.055, 350.12 (4)
9 (a) 2m., 3., and 3m., and 350.155 and, for safety training and fatality reporting, and
10 for the funding for a snowmobile rail crossing under 2009 Wisconsin Act ... (this act),
11 section 9137 (6x).

12 **SECTION 270p.** 20.370 (3) (aq) of the statutes, as affected by 2009 Wisconsin Act
13 (this act), is repealed and recreated to read:

14 20.370 (3) (aq) *Law enforcement — snowmobile enforcement and safety*
15 *training*. The amounts in the schedule from the snowmobile account in the
16 conservation fund for state law enforcement operations under ss. 350.055, 350.12 (4)
17 (a) 2m., 3., and 3m., and 350.155 and for safety training and fatality reporting.”.

18 **129.** Page 287, line 11: after “state” insert “research by the department
19 concerning invasive species that are aquatic species, for”.

20 **130.** Page 287, line 12: delete “aquatic species” and substitute “aquatic
21 species.”.

22 **131.** Page 287, line 13: after that line insert:

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

1 20.370 (4) (ac) *Wisconsin River monitoring and study*. The amounts in the
2 schedule for the Wisconsin River monitoring and study under s. 281.14. No moneys
3 may be encumbered under this paragraph after June 30, 2014.”.

4 **132.** Page 288, line 8: after that line insert:

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

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

13 **133.** Page 289, line 2: after that line insert:

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

15 20.370 (6) (ac) *Lake Koshkonong study*. The amounts in the schedule for the
16 grant for the study of Lake Koshkonong under 2009 Wisconsin Act ... (this act),
17 section 9137 (6i).”.

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

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

20 **136.** Page 294, line 2: after that line insert:

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

22 20.395 (2) (gr) *Railroad crossing improvement and protection installation,*
23 *state funds*. As a continuing appropriation, the amounts in the schedule to pay the
24 costs for railroad crossing protection improvements under s. 195.28 (2) and, for the

1 installation of railroad crossing gates under 1999 Wisconsin Act 9, section 9150 (9g),
2 and for the grant under 2009 Wisconsin Act (this act), section 9150 (11f).”.

3 **137.** Page 295, line 2: after that line insert:

4 “**SECTION 295o.** 20.395 (3) (dq) of the statutes is created to read:

5 20.395 (3) (dq) *Major interstate bridge construction, state funds.* As a
6 continuing appropriation, the amounts in the schedule for major interstate bridge
7 projects under s. 84.016.

8 **SECTION 295p.** 20.395 (3) (dv) of the statutes is created to read:

9 20.395 (3) (dv) *Major interstate bridge construction, local funds.* All moneys
10 received from any local unit of government or other source for major interstate bridge
11 projects under s. 84.016, for such purpose.

12 **SECTION 295q.** 20.395 (3) (dx) of the statutes is created to read:

13 20.395 (3) (dx) *Major interstate bridge construction, federal funds.* All moneys
14 received from the federal government for major interstate bridge projects under s.
15 84.016, for such purpose.”.

16 **138.** Page 297, line 19: delete “and major” and substitute “major”.

17 **139.** Page 297, line 20: after “84.56.” insert “and major interstate bridge
18 projects, as provided under ss. 20.866 (2) (ugm) and 84.016.”.

19 **140.** Page 303, line 19: after that line insert:

20 “**SECTION 319e.** 20.410 (3) (kp) of the statutes is created to read:

21 20.410 (3) (kp) *Indian juvenile placements.* The amounts in the schedule to be
22 used for unexpected or unusually high-cost out-of-home care placements of Indian
23 juveniles who have been adjudicated delinquent. All moneys transferred from the
24 appropriation account under s. 20.505 (8) (hm) 21d. shall be credited to this

1 appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered
2 balance on June 30 of each year shall revert to the appropriation account under s.
3 20.505 (8) (hm).”.

4 **141.** Page 305, line 6: after that line insert:

5 “**SECTION 326p.** 20.435 (1) (dj) of the statutes is created to read:

6 20.435 (1) (dj) *Dental health clinic grant.* The amounts in the schedule for the
7 grant under 2009 Wisconsin Act (this act), section 9122 (5px).

8 **SECTION 326r.** 20.435 (1) (dj) of the statutes, as created by 2009 Wisconsin Act
9 (this act), is repealed.”.

10 **142.** Page 306, line 20: after that line insert:

11 “**SECTION 330r.** 20.435 (1) (kf) of the statutes is created to read:

12 20.435 (1) (kf) *American Indian diabetes prevention and control.* The amounts
13 in the schedule for activities under s. 250.20 (6) to prevent and control diabetes
14 among American Indians. All moneys transferred from the appropriation account
15 under s. 20.505 (8) (hm) 24. shall be credited to this appropriation account.
16 Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year
17 shall revert to the appropriation account under s. 20.505 (8) (hm).”.

18 **143.** Page 316, line 1: delete lines 1 to 10.

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

20 **145.** Page 341, line 1: delete lines 1 to 20.

21 **146.** Page 345, line 20: delete the material beginning with that line and
22 ending with page 346, line 11.

23 **147.** Page 348, line 15: after that line insert:

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

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

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

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

9 **149.** Page 354, line 2: after that line insert:

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

12 20.455 (5) (g) *Crime victim and witness assistance surcharge, general services.*
13 The amounts in the schedule for purposes of ch. 950. All moneys received from any
14 crime victim and witness assistance surcharge authorized under s. 973.045 (1) that
15 are allocated as ~~part A of the surcharge~~ to this appropriation account under s.
16 973.045 (1r) (a) 1., 26 percent of all moneys received from any crime victim and
17 witness assistance surcharge authorized under s. 973.045 (1) that are allocated as
18 ~~part B of the surcharge under s. 973.045 (1r) (a) 2.~~ (2m) (b), all moneys received from
19 any crime victim and witness assistance surcharge authorized under s. 973.045 (1m),
20 and all moneys received from any delinquency victim and witness assistance
21 surcharge authorized under s. 938.34 (8d) (a) shall be credited to this appropriation
22 account. The department of justice shall transfer from this appropriation account to
23 the appropriation account under par. (kj) the amounts in the schedule under par.
24 (kj).”.

1 **150.** Page 354, line 8: after that line insert:

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

4 20.455 (5) (gc) *Crime victim and witness surcharge, sexual assault victim*
5 *services. Seventy-four percent of all All moneys received from any crime victim and*
6 *witness assistance surcharge authorized under s. 973.045 (1) that are allocated as*
7 *part B of the surcharge to this appropriation account under s. 973.045 (1r) (a) 2. (2m)*
8 *(a), to provide grants for sexual assault victim services under s. 165.93.”.*

9 **151.** Page 354, line 21: after that line insert:

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

11 20.465 (2) (r) *Military family relief.* All moneys received from the military
12 family relief fund for the payment of financial aid to military families under s. 321.45
13 and for all of the administrative costs that the department incurs in making those
14 payments.”.

15 **152.** Page 354, line 25: after that line insert:

16 “**SECTION 542p.** 20.475 (1) (s) of the statutes is created to read:

17 20.475 (1) (s) *Salaries and fringe benefits; public benefits.* From the utility
18 public benefits fund, the amounts in the schedule for salaries and fringe benefits of
19 district attorneys and state employees of the office of the district attorney and for
20 payments under s. 978.045 (2) (b).

21 **SECTION 542s.** 20.475 (1) (s) of the statutes, as created by 2009 Wisconsin Act
22 (this act), is repealed.”.

23 **153.** Page 359, line 15: after that line insert:

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

1 20.505 (6) (br) *Restorative justice*. The amounts in the schedule for the grant
2 under 2009 Wisconsin Act (this act), section 9101 (13f).

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

5 **154.** Page 361, line 21: delete that line.

6 **155.** Page 362, line 9: after that line insert:

7 “**SECTION 587r.** 20.505 (8) (hm) 21d. of the statutes is created to read:

8 20.505 (8) (hm) 21d. The amount transferred to s. 20.410 (3) (kp) shall be the
9 amount in the schedule under s. 20.410 (3) (kp).”.

10 **156.** Page 362, line 15: after that line insert:

11 “**SECTION 587d.** 20.505 (8) (hm) 24. of the statutes is created to read:

12 20.505 (8) (hm) 24. The amount transferred to s. 20.435 (1) (kf) shall be the
13 amount in the schedule under s. 20.435 (1) (kf).”.

14 **157.** Page 362, line 16: delete that line and substitute:

15 “**SECTION 589b.** 20.511 (1) (b) of the statutes is amended to read:

16 20.511 (1) (b) *Election-related cost reimbursement*. ~~A sum sufficient~~
17 Biennially, the amounts in the schedule to reimburse municipalities for claims
18 allowed under s. 5.68 (7).”.

19 **158.** Page 364, line 13: delete “~~regional transit~~ KRM” and substitute
20 “southeastern regional transit”.

21 **159.** Page 365, line 2: after that line insert:

22 “**SECTION 605s.** 20.566 (1) (hp) of the statutes is amended to read:

23 20.566 (1) (hp) *Administration of income tax checkoff voluntary payments*. The
24 amounts in the schedule for the payment of all administrative costs, including data

1 processing costs, incurred in administering ss. 71.10 (5), (5e), (5f), (5fm), (5g), (5h),
2 (5i), (5j), and (5m), and 71.30 (10). All moneys specified for deposit in this
3 appropriation under ss. 71.10 (5) (h) 5., (5e) (h) 4., (5f) (i), (5fm) (i), (5g) (i), (5h) (i),
4 (5i) (i), (5j), (i), and (5m) (i), and 71.30 (10) (i) and (11) (i) shall be credited to this
5 appropriation.”.

6 **160.** Page 365, line 7: delete lines 7 to 11.

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

8 **162.** Page 366, line 25: after that line insert:

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

10 20.835 (1) (r) *County and municipal aid account; police and fire protection*
11 *fund.* From the police and fire protection fund, after deducting the amounts
12 appropriated from that fund under s. 20.155 (3) (t), all moneys received from the fees
13 collected under s. 196.025 (6) to make the payments under s. 79.035.”.

14 **163.** Page 368, line 24: delete “~~transit KRM~~” and substitute “Southeastern
15 regional transit”.

16 **164.** Page 369, line 1: delete “~~regional transit KRM~~” and substitute
17 “southeastern regional transit”.

18 **165.** Page 369, line 4: after that line insert:

19 “**SECTION 632e.** 20.855 (4) (be) of the statutes is created to read:

20 20.855 (4) (be) *Study of engineering.* The amounts in the schedule, to be
21 disbursed by the department of administration over a 3–year period, to make grants
22 to a municipality or a non–profit organization in a 1st class city for the purpose of
23 furthering the study of engineering to meet the needs of business and the state. This
24 paragraph does not apply after June 30, 2012.”.

1 **166.** Page 369, line 8: after that line insert:

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

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

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

10 **168.** Page 375, line 11: after that line insert:

11 “**SECTION 647m.** 20.866 (2) (ugm) of the statutes is created to read:

12 20.866 **(2)** (ugm) *Transportation; major interstate bridge construction.* From
13 the capital improvement fund, a sum sufficient for the department of transportation
14 to fund major interstate bridge projects under s. 84.016. The state may contract
15 public debt in an amount not to exceed \$225,000,000 for this purpose.”.

16 **169.** Page 376, line 16: delete “\$139,712,200” and substitute “\$204,712,200”.

17 **170.** Page 379, line 11: after “*tax-supported*” insert “*and self-amortizing*”.

18 **171.** Page 379, line 14: after “*tax-supported*” insert “*or self-amortizing*”.

19 **172.** Page 379, line 15: increase the dollar amount by \$9,000,000.

20 **173.** Page 379, line 19: after “*tax-supported*” insert “*and self-amortizing*”.

21 **174.** Page 387, line 21: delete the material beginning with that line and
22 ending with page 388, line 13.

23 **175.** Page 392, line 15: after that line insert:

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

2 25.17 (1) (jx) Military family relief fund (s. 25.38);”.

3 **176.** Page 392, line 15: after that line insert:

4 “**SECTION 665s.** 25.17 (1) (kb) of the statutes is created to read:

5 25.17 (1) (kb) 911 fund (s. 25.985);”.

6 **177.** Page 392, line 15: after that line insert:

7 “**SECTION 665s.** 24.80 of the statutes is amended to read:

8 **24.80 Normal school fund.** The lands and moneys described in s. 24.79, not
9 being granted for any other specified purpose, accrue to the school fund under article
10 X, section 2, of the constitution; and having been found unnecessary for the support
11 and maintenance of common schools, are appropriated to the support and
12 maintenance of state universities and suitable libraries and apparatus therefor, and
13 to that end are set apart and denominated the “Normal School Fund”. All lands,
14 moneys, loans, investments and securities set apart to the normal school fund and
15 all swamp lands and income and interest received on account of the capital of that
16 fund constitute a separate and perpetual fund. All Except as provided in ss. 20.255
17 (1) (q) and 20.285 (1) (rm), all income and interest from the normal school fund shall
18 be paid into the general fund as general purpose revenue. Normal school fund
19 income, interest and revenues do not include expenses deducted from gross receipts
20 permitted under ss. 24.04 (2), 24.53 and 24.62 (1).”.

21 **178.** Page 392, line 17: after that line insert:

22 “**SECTION 665w.** 25.17 (1) (ku) of the statutes, as created by 2009 Wisconsin Act
23 (this act), is repealed.”.

24 **179.** Page 392, line 20: after that line insert:

1 **“SECTION 667m.** 25.18 (3) of the statutes is created to read:

2 25.18 **(3)** Notwithstanding s. 19.45 (4), investment board employees may
3 disclose information to other investment board employees who are also students
4 participating in a program in the School of Business at the University of
5 Wisconsin–Madison related to applied securities analysis, or participating in a
6 comparable program, if the only use of the information unrelated to investment
7 board purposes would be for purposes related to the program.”.

8 **180.** Page 392, line 22: after that line insert:

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

10 **25.38 Military family relief fund.** There is established a separate
11 nonlapsible trust fund designated as the military family relief fund. The fund shall
12 consist of money deposited in the fund under s. 71.10 (5i) (i), together with all
13 donations, gifts, or bequests made to the fund.”.

14 **181.** Page 394, line 10: after that line insert:

15 **“SECTION 675m.** 25.40 (1) (a) 27. of the statutes is created to read:

16 25.40 **(1)** (a) 27. Moneys received under s. 344.63 (1) (d) that are deposited in
17 a trust account for the benefit of the depositors and claimants.”.

18 **182.** Page 394, line 11: delete lines 11 and 12.

19 **183.** Page 396, line 6: after that line insert:

20 **“SECTION 681i.** 25.985 of the statutes is created to read:

21 **25.985 911 fund.** There is established a separate nonlapsible trust fund
22 designated as the 911 fund, consisting of deposits by the public service commission
23 under s. 256.35 (3g) (a) 4. a.”.

24 **184.** Page 396, line 11: after that line insert:

1 “**SECTION 682L.** 25.99 of the statutes, as created by 2009 Wisconsin Act (this
2 act), is repealed.”.

3 **185.** Page 397, line 8: delete lines 8 to 13.

4 **186.** Page 399, line 17: delete “research” and substitute “research by the
5 department concerning invasive species that are aquatic species and for”.

6 **187.** Page 400, line 4: delete lines 4 to 16.

7 **188.** Page 402, line 16: delete “research” and substitute “research by the
8 department concerning invasive species that are aquatic species and for”.

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

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

12 **191.** Page 413, line 2: after that line insert:

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

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

16 **192.** Page 413, line 13: after that line insert:

17 “**SECTION 738s.** 36.11 (55) of the statutes is created to read:

18 36.11 (55) REVIEW OF SYSTEM CONTRACTS WITH RESEARCH COMPANIES. The board
19 shall review any contract submitted by the system under s. 946.13 (12) (b) 2. b. to
20 determine whether entering into the contract would constitute a violation of s.
21 946.13 (1). The board shall complete the review and, if the board determines that
22 entering into the contract would constitute a violation of s. 946.13 (1), notify the
23 system of its determination within 45 days after the date of submittal.”.

1 **193.** Page 414, line 22: delete the material beginning with “with an” and
2 ending with “stating” on line 23 and substitute “with proof”.

3 **194.** Page 415, line 1: delete the material beginning with that line and ending
4 with page 416, line 22, and substitute:

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

6 36.27 **(3n)** (b) (intro.) Except as provided in subds. 1. to 3. and par. (bg), the
7 board shall grant full remission of academic fees and segregated fees for 128 credits
8 or 8 semesters, whichever is longer, less the number of credits or semesters for which
9 the person received remission of fees under s. 38.24 (7) and less the amount of any
10 academic fees or segregated fees paid under 38 USC 3319, to any resident student
11 who is also any of the following:

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

13 36.27 **(3n)** (bg) Before the Board of Regents may grant a remission of academic
14 fees and segregated fees under par. (b), the Board of Regents shall require the
15 resident student to apply to the payment of those fees all educational assistance to
16 which the resident student is entitled under 38 USC 3319. This requirement applies
17 notwithstanding the fact that the resident student may be entitled to educational
18 assistance under 10 USC 16132a, 10 USC 16163a, or 38 USC 3500 to 3566 as well
19 as under 38 USC 3319, unless the resident student has 12 months or less of eligibility
20 remaining for educational assistance under 10 USC 16132a, 10 USC 16163a, or 38
21 USC 3500 to 3566.

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

23 36.27 **(3n)** (bm) 1. For a resident student who is entitled to educational
24 assistance under 10 USC 16132a, 10 USC 16163a, or 38 USC 3500 to 3566 and under

1 38 USC 3319, if the amount of educational assistance, not including educational
2 assistance for tuition, to which the resident student is entitled under 10 USC 16132a,
3 10 USC 16163a, or 38 USC 3500 to 3566 is greater than the amount of educational
4 assistance, not including educational assistance for tuition, that the resident
5 student received under 38 USC 3319 for an academic year, as determined by the
6 higher educational aids board, in June of the academic year the higher educational
7 aids board shall reimburse the resident student for the difference in those amounts
8 of educational assistance, as calculated by the higher educational aids board, from
9 the appropriation account under s. 20.235 (1) (fz). The higher educational aids board
10 shall make that determination and calculation in consultation with the Board of
11 Regents.

12 2. If in any fiscal year there are insufficient moneys available in the
13 appropriation account under s. 20.235 (1) (fz) to provide full reimbursement under
14 subd. 1. to all resident students who are eligible for that reimbursement, the higher
15 educational aids board and the Board of Regents shall reimburse those resident
16 students as provided in s. 39.50 (4).

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

18 36.27 (3p) (b) The Except as provided in par. (bg), the board shall grant full
19 remission of nonresident tuition, academic fees, and segregated fees charged for 128
20 credits or 8 semesters, whichever is longer, less the number of credits or semesters
21 for which the person received remission of fees under s. 38.24 (8) and less the amount
22 of any academic fees or segregated fees paid under 10 USC 2107 (c) or 38 USC 3104
23 (a) (7) (A), or 38 USC 3313, to any student who is a veteran.

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

1 36.27 **(3p)** (bg) Before the Board of Regents may grant a remission of
2 nonresident tuition, academic fees, and segregated fees under par. (b), the board
3 shall require the student to apply to the payment of that tuition and those fees all
4 educational assistance to which the student is entitled under 38 USC 3313. This
5 requirement applies notwithstanding the fact that the student may be entitled to
6 educational assistance under 10 USC 16131 to 16137, 10 USC 16161 to 16166, or 38
7 USC 3001 to 3036 as well as under 38 USC 3313, unless the student has 12 months
8 or less of eligibility remaining for educational assistance under 10 USC 16131 to
9 16137, 10 USC 16161 to 16166, or 38 USC 3001 to 3036.

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

11 36.27 **(3p)** (bm) 1. For a student who is entitled to educational assistance under
12 10 USC 16131 to 16137, 10 USC 16161 to 16166, or 38 USC 3001 to 3036 and under
13 38 USC 3313, if the amount of educational assistance, not including educational
14 assistance for tuition, to which the student is entitled under 10 USC 16131 to 16137,
15 10 USC 16161 to 16166, or 38 USC 3001 to 3036 is greater than the amount of
16 educational assistance, not including educational assistance for tuition, that the
17 student received under 38 USC 3313 for an academic year, as determined by the
18 higher educational aids board, in June of the academic year the higher educational
19 aids board shall reimburse the student for the difference in those amounts of
20 educational assistance, as calculated by the higher educational aids board, from the
21 appropriation account under s. 20.235 (1) (fz). The higher educational aids board
22 shall make that determination and calculation in consultation with the Board of
23 Regents.

24 2. If in any fiscal year there are insufficient moneys available in the
25 appropriation account under s. 20.235 (1) (fz) to provide full reimbursement under

1 subd. 1. to all students who are eligible for that reimbursement, the higher
2 educational aids board and the Board of Regents shall reimburse those students as
3 provided in s. 39.50 (4).”.

4 **195.** Page 417, line 16: after that line insert:

5 “**SECTION 747rm.** 36.49 of the statutes is created to read:

6 **36.49 Environmental program grants and scholarships.** From the
7 appropriation under s. 20.285 (1) (rm), the board shall annually do the following:

8 (1) Make need-based grants totaling \$100,000 to students who are members
9 of underrepresented groups and who are enrolled in a program leading to a
10 certificate or a bachelor’s degree from the Nelson Institute for Environmental
11 Studies at the University of Wisconsin–Madison.

12 (2) Provide annual scholarships totaling \$100,000 to students enrolled in the
13 sustainable management degree program through the University of
14 Wisconsin–Extension.”.

15 **196.** Page 419, line 12: delete “an affidavit stating” and substitute “proof”.

16 **197.** Page 419, line 21: delete the material beginning with and ending with
17 page 421, line 13, and substitute:

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

19 38.24 (7) (b) (intro.) Except as provided in subds. 1. to 3. and par. (bg), the
20 district board shall grant full remission of fees under sub. (1m) (a) to (c) for 128
21 credits or 8 semesters, whichever is longer, less the number of credits or semesters
22 for which the person received remission of fees from any other district board under
23 this subsection and from the Board of Regents under s. 36.27 (3n) (b) and less the

1 amount of any fees paid under 38 USC 3319, to any resident student who is also any
2 of the following:

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

4 38.24 (7) (bg) Before the district board may grant a remission of fees under par.
5 (b), the district board shall require the resident student to apply to the payment of
6 those fees all educational assistance to which the resident student is entitled under
7 38 USC 3319. This requirement applies notwithstanding the fact that the resident
8 student may be entitled to educational assistance under 10 USC 16132a, 10 USC
9 16163a, or 38 USC 3500 to 3566 as well as under 38 USC 3319, unless the resident
10 student has 12 months or less of eligibility remaining for educational assistance
11 under 10 USC 16132a, 10 USC 16163a, or 38 USC 3500 to 3566.

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

13 38.24 (7) (bm) 1. For a resident student who is entitled to educational
14 assistance under 10 USC 16132a, 10 USC 16163a, or 38 USC 3500 to 3566 and under
15 38 USC 3319, if the amount of educational assistance, other than educational
16 assistance for tuition, to which the resident student is entitled under 10 USC 16132a,
17 10 USC 16163a, or 38 USC 3500 to 3566 is greater than the amount of educational
18 assistance, other than educational assistance for tuition, that the resident student
19 received under 38 USC 3319 for an academic year, as determined by the higher
20 educational aids board, in June of the academic year the higher educational aids
21 board shall reimburse the resident student for the difference in those amounts of
22 educational assistance, as calculated by the higher educational aids board, from the
23 appropriation account under s. 20.235 (1) (fz). The higher educational aids board
24 shall make that determination and calculation in consultation with the board and
25 district board.

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

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

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

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

15 38.24 (8) (bg) Before the district board may grant a remission of fees under par.
16 (b), the district board shall require the student to apply to the payment of those fees
17 all educational assistance to which the student is entitled under 38 USC 3313. This
18 requirement applies notwithstanding the fact that the student may be entitled to
19 educational assistance under 10 USC 16131 to 16137, 10 USC 16161 to 16166, or 38
20 USC 3001 to 3036 as well as under 38 USC 3313, unless the student has 12 months
21 or less of eligibility remaining for educational assistance under 10 USC 16131 to
22 16137, 10 USC 16161 to 16166, or 38 USC 3001 to 3036.

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

24 38.24 (8) (bm) 1. For a student who is entitled to educational assistance under
25 10 USC 16131 to 16137, 10 USC 16161 to 16166, or 38 USC 3001 to 3036 and under

1 38 USC 3313, if the amount of educational assistance, other than educational
2 assistance for tuition, to which the student is entitled under 10 USC 16131 to 16137,
3 10 USC 16161 to 16166, or 38 USC 3001 to 3036 is greater than the amount of
4 educational assistance, other than educational assistance for tuition, that the
5 student received under 38 USC 3313 for an academic year, as determined by the
6 higher educational aids board, in June of the academic year the higher educational
7 aids board shall reimburse the student for the difference in those amounts of
8 educational assistance, as calculated by the higher educational aids board, from the
9 appropriation account under s. 20.235 (1) (fz). The higher educational aids board
10 shall make that determination and calculation in consultation with the board and
11 district board.

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

17 **198.** Page 421, line 20: delete “and” and substitute “or”.

18 **199.** Page 425, line 23: after that line insert:

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

20 39.50 (**3m**) (title) ~~PRORATED~~ REMISSION OF FEES; PRORATED REIMBURSEMENT.

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

22 39.50 (**4**) REIMBURSEMENT OF VETERANS AND DEPENDENTS; PRORATED
23 REIMBURSEMENT. In June of each fiscal year, the higher educational aids board shall
24 determine the total amount of reimbursement due to students under ss. 36.27 (3n)

1 (bm) 1. and (3p) (bm) 1. and 38.24 (7) (bm) 1. and (8) (bm) 1. If the moneys
2 appropriated under s. 20.235 (1) (fz) are not sufficient to provide full reimbursement
3 to those students, the higher educational aids board shall prorate the
4 reimbursement paid to those students under ss. 36.27 (3n) (bm) 1. and (3p) (bm) 1.
5 and 38.24 (7) (bm) 1. and (8) (bm) 1. in the proportion that the moneys available bears
6 to the total amount eligible for reimbursement under ss. 36.27 (3n) (bm) 1. and (3p)
7 (bm) 1. and 38.24 (7) (bm) 1. and (8) (bm) 1. If the higher educational aids board
8 prorates reimbursement under this subsection, the Board of Regents shall reimburse
9 a student who is eligible for reimbursement under s. 36.27 (3n) (bm) 1. or (3p) (bm)
10 1., and the appropriate technical college district board shall reimburse a student who
11 is eligible for reimbursement under s. 38.24 (7) (bm) 1. or (8) (bm) 1., in an amount
12 that is equal to the difference between the amount of reimbursement for which the
13 student is eligible and the amount of reimbursement paid by the higher educational
14 aids board.”.

15 **200.** Page 426, line 17: after that line insert:

16 “**SECTION 772r.** 40.02 (17) (intro.) of the statutes is amended to read:

17 40.02 (17) (intro.) “Creditable service” means the creditable current and prior
18 service, expressed in years and fractions of a year to the nearest one–hundredth, for
19 which a participating employee receives or is considered to receive earnings under
20 sub. (22) (e), (ef), or (em) and for which contributions have been made as required by
21 s. 40.05 (1) and (2) and creditable military service, service credited under s. 40.285
22 (2) (b) and service credited under s. 40.29, expressed in years and fractions of years
23 to the nearest one–hundredth. How much service in any annual earnings period is
24 the full–time equivalent of one year of creditable service shall be determined by rule

1 by the department and the rules may provide for differing equivalents for different
2 types of employment. Except as provided under s. 40.285 (2) (e) and (f), the amount
3 of creditable service for periods prior to January 1, 1982, shall be the amount for
4 which the participant was eligible under the applicable laws and rules in effect prior
5 to January 1, 1982. No more than one year of creditable service shall be granted for
6 any annual earnings period. Creditable service is determined in the following
7 manner for the following persons:”.

8 **201.** Page 427, line 21: after that line insert:

9 “**SECTION 775h.** 40.02 (22) (ef) of the statutes is created to read:

10 40.02 (22) (ef) For Wisconsin retirement system purposes only, for a state
11 employee, means compensation that would have been payable to the participant, at
12 the participant’s rate of pay immediately prior to the beginning of any mandatory
13 temporary reduction of work hours or days during the period from July 1, 2009, to
14 June 30, 2011, for service that would have been rendered by the participant during
15 that period if the mandatory temporary reduction of work hours or days had not been
16 in effect. Contributions and premiums on earnings considered to be received under
17 this paragraph shall be paid as required under s. 40.05.”.

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

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

20 **204.** Page 429, line 8: after that line insert:

21 “**SECTION 779d.** 40.02 (33) (a) 1. of the statutes is amended to read:

22 40.02 (33) (a) 1. The participant’s total earnings received or considered to be
23 received under sub. (22) (e), (ef), or (em) and for which contributions are made under
24 s. 40.05 (1) and (2) during the 3 annual earnings periods (excluding any period more

1 than 3 years prior to the effective date for any participating employer) in which the
2 earnings were the highest, subject to the annual compensation limits under 26 USC
3 401 (a) (17) for a participating employee who first becomes a participating employee
4 on or after January 1, 1996; by”.

5 **205.** Page 429, line 9: delete lines 9 to 20.

6 **206.** Page 434, line 10: delete the material beginning with that line and
7 ending with page 435, line 15.

8 **207.** Page 436, line 3: delete lines 3 to 12.

9 **208.** Page 441, line 6: before “632.895” insert “632.885.”.

10 **209.** Page 441, line 11: after “632.855,” insert “632.885.”.

11 **210.** Page 452, line 24: delete “\$1,296,500 in each fiscal year and,” and
12 substitute “\$1,365,500 in each fiscal year and,”.

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

14 **212.** Page 453, line 3: delete lines 3 to 5 and substitute “for services for
15 juveniles placed at the Mendota”.

16 **213.** Page 456, line 20: delete that line.

17 **214.** Page 457, line 12: delete “~~in accordance with s. 46.031 (1)~~” and substitute
18 “in accordance with s. 46.031 (1)”.

19 **215.** Page 457, line 16: delete that line.

20 **216.** Page 459, line 14: delete “benefit.” and substitute “benefit.”.

21 **217.** Page 459, line 16: delete “year.” and substitute “year or who participates
22 in the self-directed services option, which is operated under a waiver from the

1 secretary of the federal department of health and human services under 42 USC
2 1396n (c).”.

3 **218.** Page 463, line 17: after that line insert:

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

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

10 **219.** Page 495, line 3: delete that line.

11 **220.** Page 497, line 12: delete “~~a kinship care relative~~” and substitute “a
12 kinship care relative or is”.

13 **221.** Page 498, line 2: delete “~~or kinship care relative~~” and substitute “or
14 kinship care relative”.

15 **222.** Page 498, line 4: delete “~~or kinship care relative~~” and substitute “or
16 kinship care relative”.

17 **223.** Page 498, line 13: delete “~~or kinship care relative~~” and substitute “or
18 kinship care relative”.

19 **224.** Page 498, line 15: delete “~~or kinship care relative~~” and substitute “or
20 kinship care relative”.

21 **225.** Page 498, line 20: delete “~~or~~”.

22 **226.** Page 498, line 21: delete “~~kinship care relative~~” and substitute “or
23 kinship care relative”.

1 **227.** Page 498, line 22: delete “~~or kinship care relative~~” and substitute “or
2 kinship care relative”.

3 **228.** Page 498, line 24: delete “~~or kinship care relative~~” and substitute “or
4 kinship care relative”.

5 **229.** Page 499, line 20: after that line insert:

6 “**SECTION 979v.** 48.48 (8p) of the statutes is created to read:

7 48.48 **(8p)** To reimburse tribes and county departments, from the
8 appropriation under s. 20.437 (1) (kz), for unexpected or unusually high-cost
9 out-of-home care placements of Indian children by tribal courts. In this subsection,
10 “unusually high-cost out-of-home care placements” means the amount by which the
11 cost to a tribe or to a county department of out-of-home care placements of Indian
12 children by tribal courts exceeds \$50,000 in a fiscal year.”.

13 **230.** Page 501, line 20: delete “\$2,125,200” and substitute “\$2,215,200
14 \$2,097,700”.

15 **231.** Page 501, line 22: delete “, \$1,144,300” and substitute “, \$1,171,800”.

16 **232.** Page 502, line 1: delete “Gay Straight Alliance for Safe Schools, Inc.” and
17 substitute “Diverse and Resilient, Inc.”.

18 **233.** Page 504, line 1: delete lines 1 and 2.

19 **234.** Page 504, line 24: delete lines 24 and 25.

20 **235.** Page 505, line 22: delete lines 22 and 23.

21 **236.** Page 508, line 21: after “care” insert “to a foster home that is receiving
22 an age-related rate under this subsection”.

23 **237.** Page 509, line 10: delete lines 10 to 20.

1 **238.** Page 511, line 3: delete lines 3 to 9.

2 **239.** Page 512, line 19: after “home” insert “that is receiving an age-related
3 monthly rate under sub. (4)”.

4 **240.** Page 513, line 2: after that line insert:

5 “**SECTION 1022b.** 48.62 (9) of the statutes is created to read:

6 48.62 (9) As soon as the department is ready to implement the rules
7 promulgated under sub. (8), the secretary shall send a notice to the legislative
8 reference bureau for publication in the Wisconsin Administrative Register that
9 states the date on which the provisions of 2009 Wisconsin Act ... (this act), relating
10 to foster care levels of care will become effective.”.

11 **241.** Page 524, line 11: after that line insert:

12 “**SECTION 1051n.** 48.648 of the statutes is created to read:

13 **48.648 Foster children’s bill of rights. (1)** The department and all county
14 departments and licensed child welfare agencies shall respect the rights of all foster
15 children. These rights shall include the right to all of the following:

16 (a) Live in a safe, healthy, and comfortable home where the foster child is
17 treated with respect.

18 (b) Be free from physical, sexual, emotional, or other abuse or corporal
19 punishment.

20 (c) Receive adequate and healthy food and adequate clothing.

21 (d) Receive medical, dental, vision, and mental health services.

22 (e) Be free from the administration of medication or chemical substances,
23 unless authorized by a physician.

24 (f) Contact family members, unless prohibited by court order.

1 (g) Visit and contact siblings, unless prohibited by court order.

2 (h) Contact the department, a county department, or a licensed child welfare
3 agency regarding violations of rights, to speak to representatives of those agencies
4 confidentially, and to be free from threats or punishments for making complaints.

5 (i) Make and receive confidential telephone calls and send and receive
6 confidential mail and electronic mail, if electronic mail is available at the foster
7 child's placement.

8 (j) Attend religious services and activities of the foster child's choice.

9 (k) Manage personal income, consistent with the foster child's age and
10 developmental level, unless prohibited by the foster child's case plan.

11 (L) Not be locked in any room.

12 (m) Attend school and participate in extracurricular, cultural, and personal
13 enrichment activities, consistent with the foster child's age and developmental level.

14 (n) Work as permitted under state and federal law and to develop job skills at
15 an age-appropriate level.

16 (o) Have social contacts with people outside of the child welfare system, such
17 as teachers, church members, mentors, and friends.

18 (p) Attend court hearings and speak to the judge.

19 (q) Have storage space for private use.

20 (r) Review the foster child's permanency plan if he or she is over 12 years of age
21 and to receive information about that permanency plan and any changes to that
22 permanency plan.

23 (s) Be free from unreasonable searches of personal belongings.

24 (t) Have fair and equal access to all available services, placement, care,
25 treatment, and benefits, and to not be subjected to discrimination or harassment on

1 the basis of actual or perceived race, ethnicity, ancestry, national origin, religion, sex,
2 sexual orientation, mental or physical disability, or human immunodeficiency virus
3 status.

4 (u) Have access, if 16 years of age or over, to information regarding the
5 educational options available, including the prerequisites for vocational and
6 postsecondary education options and information regarding financial aid for
7 postsecondary education.

8 (2) When a child is placed in a foster home, the department, county
9 department, or licensed child welfare agency placing the child shall provide the child
10 with a written copy of the foster children's bill of rights in the child's primary
11 language, if possible, and shall inform the child of the rights provided by the foster
12 children's bill of rights orally using language or means that are appropriate to the
13 child's age and developmental level and that ensure that the child understands the
14 meaning of the bill of rights.

15 **SECTION 1051o.** 48.649 of the statutes is created to read:

16 **48.649 Foster parent's bill of rights.** (1) The department and all county
17 departments and licensed child welfare agencies shall respect the rights of all foster
18 parents. These rights shall include the right to all of the following:

19 (a) Be treated with dignity, respect, and consideration as a professional
20 member of the child welfare team.

21 (b) Be given training prior to receiving children in the home and appropriate
22 ongoing training to meet the foster parent's needs and improve the foster parent's
23 skills.

1 (c) Be informed of how to contact the appropriate agency in order to receive
2 information on and assistance in accessing supportive services for a foster child in
3 the foster parent's care.

4 (d) Receive timely financial reimbursement commensurate with the care needs
5 of a foster child in the foster parent's care as specified in the foster child's permanency
6 plan.

7 (e) Be provided a clear, written understanding of the permanency plan and case
8 plan of a child placed in the foster parent's care to the extent that those plans concern
9 the placement of the foster child in the foster parent's home.

10 (f) Be provided a fair, timely, and impartial investigation of complaints
11 concerning the foster parent's licensure, to be provided with the opportunity to have
12 a person of the foster parent's choosing present during the investigation, and to be
13 provided due process during the investigation.

14 (g) Receive information that is necessary and relevant to the care of a foster
15 child placed in the foster parent's care at any time during which the foster child is
16 placed with the foster parent.

17 (h) Be notified of scheduled meetings and provided with information relating
18 to the case management of a foster child placed in the foster parent's care in order
19 to actively participate in the case planning and decision-making process regarding
20 the foster child.

21 (i) Be informed of decisions regarding a foster child placed in the foster parent's
22 care made by the court or the agency responsible for the care and placement of the
23 foster child.

24 (j) Provide input concerning the case plan of a foster child placed in the foster
25 parent's care and to have that input given full consideration in the same manner as

1 information presented by any other professional member of the child welfare team
2 and to communicate with other professionals who work with the foster child within
3 the context of the child welfare team, including therapists, physicians, and teachers.

4 (k) Be given, in a timely and consistent manner, any information a case worker
5 has regarding a foster child placed in the foster parent's care and the child's family
6 that is pertinent to the care and needs of the foster child and to the making of a case
7 plan for the foster child.

8 (L) Be given clear instruction on the disclosure of information concerning a
9 foster child placed in the foster parent's care and the foster child's family.

10 (m) Be given reasonable written notice of any changes to the permanency plan
11 of a foster child placed in the foster parent's care, plans to remove a foster child from
12 the foster parent's home, and the reasons for removing the foster child, except under
13 circumstances when the foster child is in imminent risk of harm.

14 (n) Be notified in a timely and complete manner of all court hearings and of the
15 rights of the foster parent at the hearing.

16 (o) Be considered as a placement option when a foster child who was formerly
17 placed with the foster parent reenters foster care, if that placement is consistent with
18 the best interest of the child and of any other children in the home.

19 (p) Have timely access to any administrative or judicial appeal processes and
20 to be free from acts of harassment and retaliation by any other party when exercising
21 the right to appeal.

22 **(2)** The department, county department, or licensed child welfare agency shall
23 provide a foster parent with a written copy of the foster parent's bill of rights in his
24 or her primary language, if possible, when the department, county department, or
25 licensed child welfare agency issues or renews a foster care license.”.

1 **242.** Page 527, line 3: delete “48.658” and substitute “48.659”.

2 **243.** Page 527, line 4: delete “**48.658**” and substitute “**48.659**”.

3 **244.** Page 529, line 2: delete “and treatment foster parents”.

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

5 **246.** Page 529, line 7: after that line insert:

6 “**SECTION 1062b.** 48.67 (4) of the statutes, as created by this act, is amended
7 to read:

8 48.67 (4) That all foster parents ~~and treatment foster parents~~ successfully
9 complete training in the care and support needs of children who are placed in foster
10 care ~~or treatment foster care~~ that has been approved by the department. The
11 department shall promulgate rules prescribing the training that is required under
12 this subsection and shall monitor compliance with this subsection according to those
13 rules.”.

14 **247.** Page 531, line 5: delete that line and substitute “~~foster home~~ that is
15 licensed under s. 48.62;”.

16 **248.** Page 531, line 6: delete “s. 48.62 (5)”.

17 **249.** Page 533, line 1: delete lines 1 and 2 and substitute “~~home or treatment~~
18 ~~foster home~~ under s. 48.62,”.

19 **250.** Page 533, line 3: delete “s. 48.62 (5)”.

20 **251.** Page 533, line 18: delete “the”.

21 **252.** Page 533, line 19: delete that line.

22 **253.** Page 533, line 20: delete “to a person under s. 48.62 (5)”.

23 **254.** Page 535, line 22: delete “the”.

1 **255.** Page 535, line 23: delete that line.

2 **256.** Page 535, line 24: delete “payments under s. 48.62 (5).”.

3 **257.** Page 537, line 12: delete lines 12 and 13 and substitute “under s. 48.62,
4 and a school board”.

5 **258.** Page 557, line 12: delete “, 2009 stats”.

6 **259.** Page 557, line 15: delete lines 15 to 17 and substitute:

7 “**SECTION 1132c.** 49.01 (3m) of the statutes is repealed and recreated to read:
8 49.01 (3m) “Relief agency” means a tribal governing body or an agency under
9 contract with a tribal governing body to administer relief if the tribal governing body
10 operates a relief program funded by a relief block grant.

11 **SECTION 1132h.** 49.01 (8j) of the statutes is repealed.

12 **SECTION 1133c.** 49.015 (1) (a) of the statutes is amended to read:

13 49.015 (1) (a) Except as provided in sub. (3) (a), the individual resides ~~in a~~
14 ~~county, or on tax-free land, in~~ on which the ~~county or~~ tribal governing body operates
15 a program funded by a relief block grant.

16 **SECTION 1133e.** 49.015 (1) (c) of the statutes is amended to read:

17 49.015 (1) (c) The individual qualifies under written criteria of dependency
18 under s. 49.02 (1) (b) established by the relief agency ~~in that county or on that~~
19 ~~tax-free land.~~

20 **SECTION 1133g.** 49.015 (3) (a) of the statutes is amended to read:

21 49.015 (3) (a) A relief agency may waive the requirement under sub. (1) (a) for
22 an individual receiving health care services from a trauma center that meets the
23 criteria established by the American College of Surgeons for classification as a Level
24 I trauma center. ~~If the county waives the requirement under sub. (1) (a) for an~~

1 ~~individual, the county may seek reimbursement from the individual's county of~~
2 ~~residence if that county operates a program funded by a relief block grant.~~

3 **SECTION 1134b.** 49.02 (1) (intro.) of the statutes is amended to read:

4 49.02 (1) ELIGIBILITY FOR RELIEF BLOCK GRANTS. (intro.) A ~~county or~~ tribal
5 governing body is eligible to receive a relief block grant if all of the following
6 conditions are met:

7 **SECTION 1134d.** 49.02 (1) (a) of the statutes is amended to read:

8 49.02 (1) (a) The ~~county board or~~ tribal governing body adopts a resolution
9 applying for a relief block grant.

10 **SECTION 1134f.** 49.02 (1) (b) of the statutes is amended to read:

11 49.02 (1) (b) The ~~county or~~ tribal governing body establishes written criteria
12 to be used to determine dependency and reviews these written criteria at least
13 annually.

14 **SECTION 1134h.** 49.02 (1) (c) (intro.) of the statutes is amended to read:

15 49.02 (1) (c) (intro.) The ~~county or~~ tribal governing body submits to the
16 department a plan for the provision of services to be funded by the relief block grant.
17 The plan shall include all of the following:

18 **SECTION 1134j.** 49.02 (1) (c) 1. of the statutes is amended to read:

19 49.02 (1) (c) 1. How the ~~county or~~ tribal governing body will determine
20 eligibility and how these eligibility determinations may be appealed. The procedures
21 for determining eligibility and for notice, fair hearing, and review shall be consistent
22 with rules promulgated by the department under sub. (7m).

23 **SECTION 1134L.** 49.02 (1) (c) 2. of the statutes is amended to read:

24 49.02 (1) (c) 2. How the ~~county or~~ tribal governing body will determine which
25 health care services are needed by a dependent person.

1 **SECTION 1134n.** 49.02 (1) (c) 4. of the statutes is repealed.

2 **SECTION 1134p.** 49.02 (1e) of the statutes is amended to read:

3 49.02 **(1e)** RELIEF AGENCIES. If a ~~county or~~ tribal governing agency body is
4 eligible to receive a relief block grant, the ~~county or~~ tribal governing body shall
5 establish or designate a relief agency to administer relief under this section.

6 **SECTION 1134r.** 49.02 (2) (b) of the statutes is amended to read:

7 49.02 **(2)** (b) The contract between the relief agency and the private health care
8 provider provides that all records of the health care provider relating to the
9 administration and provision of the health care services shall be open to inspection
10 at all reasonable hours by authorized representatives of the ~~county~~ tribal governing
11 body and the department.

12 **SECTION 1134t.** 49.02 (2) (f) of the statutes is amended to read:

13 49.02 **(2)** (f) The contract prohibits the health care provider from holding an
14 individual recipient of health care services funded under this section liable for the
15 difference between the costs of the health care services and the amount paid to the
16 health care provider by the ~~county~~ tribal governing body for the services.”.

17 **260.** Page 557, line 20: delete that line.

18 **261.** Page 559, line 16: delete the material beginning with that line and
19 ending with page 560, line 12.

20 **262.** Page 563, line 12: after that line insert:

21 “**SECTION 1161c.** 49.147 (4m) of the statutes is created to read:

22 49.147 **(4m)** SUBSIDIZED PRIVATE SECTOR EMPLOYMENT. (a) Subject to pars. (b) and
23 (cm), the department shall establish and administer a subsidized private sector
24 employment program, under which participants shall be paid the benefits under s.

1 49.148 (1) (d) for work in projects that the department determines would serve a
2 useful public purpose or projects the cost of which is partially or wholly offset by
3 revenue generated from such projects. An individual may participate in a project
4 under this subsection for a maximum of 6 months, with an opportunity for an
5 extension.

6 (b) Subject to par. (cm), the department shall begin operating the program
7 under this subsection only if all of the following occur:

8 1. The secretary structures the subsidized private sector employment program
9 in such a manner that the total cost for a participant in the program under this
10 subsection does not exceed what the total cost would be for the participant in the
11 community service job program administered under sub. (4).

12 2. The secretary determines that the cash flow to a participant in the subsidized
13 private sector employment program under this subsection, including the advance
14 payment of any tax credit, is not less than what the cash flow would be to the
15 participant in the community service job program administered under sub. (4).

16 3. The secretary determines that administering the subsidized private sector
17 employment program in the manner provided under this subsection is permitted
18 under federal law or under a waiver, or an amendment to a waiver, approved by the
19 federal department of health and human services for the operation of Wisconsin
20 Works.

21 (c) 1. If the secretary of children and families determines that a waiver, or an
22 amendment to a waiver, is necessary to administer the subsidized private sector
23 employment program in the manner provided under this subsection, the secretary
24 of children and families shall no later than September 30, 2009, request the waiver
25 or the amendment to the waiver from the secretary of the federal department of

1 health and human services to permit the secretary of children and families to
2 administer the subsidized private sector employment program in the manner
3 provided under this subsection.

4 2. If the secretary determines that administering the subsidized private sector
5 employment program in the manner provided under this subsection would
6 necessitate changes in the federal Temporary Assistance for Needy Families block
7 grant program legislation under 42 USC 601 et seq., the secretary shall pursue the
8 necessary changes to the federal legislation.

9 (cm) 1. Except as provided in subd. 2., the department may not begin operating
10 the program under this subsection before January 1, 2011.

11 2. If the department determines that a waiver, an amendment to a waiver, or
12 changes in the federal Temporary Assistance for Needy Families block grant
13 program legislation are necessary for administering the subsidized private sector
14 employment program in the manner provided under this section, the department
15 may not begin operating the program under this subsection before the later of the
16 following:

17 a. The waiver or waiver amendment is approved and in effect or the federal
18 legislation changes are adopted and in effect, or both, whichever is applicable.

19 b. January 1, 2011.

20 (d) 1. The department shall promulgate rules for the establishment and
21 administration of the program under this subsection.

22 2. The department may promulgate emergency rules under s. 227.24 for the
23 establishment and administration of this subsection for the period before the
24 effective date of any permanent rules promulgated under subd. 1., but not to exceed
25 the period authorized under s. 227.24 (1) (c) and (2). Notwithstanding s. 227.24 (1)

1 (a), (2) (b), and (3), the department is not required to provide evidence that
2 promulgating a rule under this subdivision as an emergency rule is necessary for the
3 preservation of the public peace, health, safety, or welfare and is not required to
4 provide a finding of emergency for a rule promulgated under this subdivision.”.

5 **263.** Page 564, line 13: after that line insert:

6 “**SECTION 1172c.** 49.148 (1) (intro.) of the statutes is amended to read:

7 49.148 (1) **BENEFIT AND WAGE LEVELS FOR PARTICIPANTS IN EMPLOYMENT POSITIONS.**

8 (intro.) A participant in a Wisconsin ~~works~~ Works employment position shall receive
9 the following wages or benefits:”.

10 **264.** Page 564, line 23: after that line insert:

11 “**SECTION 1173c.** 49.148 (1) (d) of the statutes is created to read:

12 49.148 (1) (d) *Subsidized private sector employment.* 1. In this paragraph,
13 “benefits” means compensation in the form of the state or federal minimum wage,
14 whichever is higher.

15 2. For a participant in subsidized private sector employment under s. 49.147
16 (4m), a monthly grant of not more than \$25, as well as benefits for each hour actually
17 worked in subsidized private sector employment, up to 20 hours per week.”.

18 **265.** Page 572, line 21: delete “~~48.57 (3m) or~~” and substitute “48.57 (3m) or”.

19 **266.** Page 572, line 22: delete “(3n)” and substitute “(3n) or”.

20 **267.** Page 573, line 1: delete lines 1 to 10.

21 **268.** Page 573, line 13: delete “~~with a kinship care~~” and substitute “with a
22 kinship care”.

1 **269.** Page 573, line 14: delete that line and substitute “relative under s. 48.57
2 (3m) or with a long-term kinship care relative under s. 48.57”.

3 **270.** Page 573, line 15: delete “(3n) or” and substitute “(3n) or”.

4 **271.** Page 573, line 20: delete “48.57 (3m) or (3n) or” and substitute “48.57
5 (3m) or (3n) or”.

6 **272.** Page 574, line 11: delete lines 11 to 24.

7 **273.** Page 575, line 19: delete lines 19 and 20.

8 **274.** Page 578, line 21: delete that line and substitute:

9 “49.155 **(6g)** AUTHORIZED CHILD CARE HOURS. (a) 1. In this paragraph,
10 “department” means the department or the county department or agency
11 determining and authorizing the amount of child care for which an individual may
12 receive a subsidy under this section.

13 2. Except as provided in subd. 3., the department shall authorize no more than
14 12 hours of child care per day per child.

15 3. The department may authorize more than 12 hours, not exceeding 16 hours,
16 of child care per day for a child whose parent provides written documentation of work
17 or transportation requirements that exceed 12 hours in a day.

18 4. If the authorized hours of child care per day for a child will be reduced from
19 more than 12 to 12 or less because the child’s parent does not provide the written
20 documentation required under subd. 3., the department shall provide to the child’s
21 parent who is receiving the subsidy under this section and to the child’s child care
22 provider 4 weeks’ notice of the reduction in authorized hours before actually reducing
23 the child’s authorized hours.

24 (am) If”.

1 **275.** Page 579, line 9: delete “parents” and substitute “parent who is receiving
2 the subsidy under this section”.

3 **276.** Page 579, line 16: delete “(a)” and substitute “(am)”.

4 **277.** Page 579, line 19: delete “parents” and substitute “parent who is
5 receiving the subsidy under this section”.

6 **278.** Page 581, line 6: after that line insert:

7 “**SECTION 1216k.** 49.162 of the statutes is created to read:

8 **49.162 Transitional jobs demonstration project. (1)** In this section,
9 “Wisconsin Works” has the meaning given in s. 49.141 (1) (p).

10 **(2)** Subject to sub. (3) (b), the department shall conduct a demonstration
11 project, beginning on January 1, 2010, that offers transitional jobs to low-income
12 adults. To be eligible to participate in the demonstration project, an individual must
13 satisfy all of the following criteria:

14 (a) Be at least 21 but not more than 64 years of age.

15 (b) Be ineligible for Wisconsin Works.

16 (c) Have an annual household income that is below 150 percent of the poverty
17 line.

18 (d) Be unemployed for at least 4 weeks.

19 (e) Be ineligible to receive unemployment insurance benefits.

20 **(3)** (a) The department shall provide up to 2,500 transitional jobs under the
21 demonstration project. The jobs shall be allocated among Milwaukee County, Dane
22 County, Racine County, Kenosha County, Rock County, Brown County, and other
23 regions of the state, as determined by the department, in the same proportion as the

1 total number of Wisconsin Works participants are allocated among those counties
2 and other regions as of June 30, 2009.

3 (b) The department shall seek federal funds to pay for the cost of operating the
4 demonstration project, and may conduct the project only to the extent that the
5 department obtains federal funds.

6 (c) The department shall promulgate rules for the operation of the
7 demonstration project under this section.”.

8 **279.** Page 585, line 18: delete lines 18 to 23 and substitute:

9 “SECTION 1242b. 49.175 (1) (s) of the statutes, as affected by 2009 Wisconsin
10 Act (this act), is amended to read:

11 49.175 (1) (s) *Kinship care and, long-term kinship care, and foster care*
12 *assistance.* For the kinship care and long-term kinship care programs under s. 48.57
13 (3m), (3n), and (3p) and for foster care for relatives under s. 48.62, \$24,435,000 in
14 fiscal year 2009–10 and \$24,435,000 in fiscal year 2010–11.”.

15 **280.** Page 593, line 8: delete the material beginning with that line and ending
16 with page 594, line 3.

17 **281.** Page 596, line 3: delete lines 3 to 14.

18 **282.** Page 597, line 3: delete the material beginning with that line and ending
19 with page 598, line 9.

20 **283.** Page 609, line 13: after that line insert:

21 “SECTION 1292n. 49.45 (6u) (am) (intro.) of the statutes is amended to read:
22 49.45 (6u) (am) (intro.) Notwithstanding sub. (6m), from the appropriations
23 under s. 20.435 (4) (o), and (w), for reduction of operating deficits, as defined under
24 the methodology used by the department in December 2000, incurred by a facility

1 that is established under s. 49.70 (1) or that is owned and operated by a city, village,
2 or town, and as payment to care management organizations, the department ~~may not~~
3 shall distribute to these facilities and to care management organizations ~~more than~~
4 ~~\$37,100,000~~ a total of \$39,100,000 in each fiscal year, ~~as determined by the~~
5 ~~department~~. The total amount that a county certifies under this subsection may not
6 exceed 100% of otherwise-unreimbursed care. In distributing funds under this
7 subsection, the department shall perform all of the following:”.

8 **284.** Page 609, line 23: delete lines 23 and 24.

9 **285.** Page 610, line 3: delete that line and substitute:

10 “**SECTION 1294m.** 49.45 (6y) (b) of the statutes is amended to read:

11 49.45 **(6y)** (b) The department need not promulgate as rules under ch. 227 the
12 procedures, methods of distribution, and criteria required for distribution under
13 ~~pars. (a) and (am)~~ par. (a).”.

14 **286.** Page 610, line 4: delete lines 4 and 5.

15 **287.** Page 611, line 13: after that line insert:

16 “**SECTION 1301c.** 49.45 (24d) of the statutes is created to read:

17 49.45 **(24d)** PRIMARY CARE PROVIDER; MANAGED CARE ORGANIZATIONS. (a) In this
18 subsection, “managed care organization” includes a health maintenance
19 organization, a limited service health organization, and a preferred provider plan.

20 (b) In a contract with a managed care organization to provide medical
21 assistance, the department shall require the managed care organization to assign to
22 each enrollee who receives medical assistance a primary care provider.

1 (c) The managed care organization under contract under par. (b) shall pay to
2 the primary care provider a monthly fee per each patient who is a recipient of medical
3 assistance for care coordination.”.

4 **288.** Page 618, line 14: after that line insert:

5 “SECTION 1313h. 49.45 (43m) of the statutes is created to read:

6 49.45 (43m) CASE MANAGEMENT FOR CHILDREN WITH MEDICALLY COMPLEX
7 CONDITIONS. The department shall provide case management services to an
8 individual who is under 19 years of age and who is a recipient of medical assistance
9 and who has a medically complex condition.”.

10 **289.** Page 619, line 12: after that line insert:

11 “SECTION 1313p. 49.45 (44g) of the statutes is created to read:

12 49.45 (44g) PRENATAL CARE COORDINATION; MANAGED CARE ORGANIZATIONS. (a) In
13 this subsection, “managed care organization” includes a health maintenance
14 organization, a limited service health organization, and a preferred provider plan.

15 (b) In a contract with a managed care organization to provide medical
16 assistance, the department shall require the managed care organization to provide
17 or contract with a prenatal care coordination program to serve recipients of medical
18 assistance.

19 (c) The managed care organization under contract under par. (b) shall ensure
20 that each enrollee who is pregnant and who is a recipient of medical assistance is
21 enrolled in the prenatal care coordination program under par. (b).”.

22 **290.** Page 619, line 22: after that line insert:

23 “SECTION 1315n. 49.45 (50m) of the statutes is created to read:

1 **49.45 (50m)** CHRONIC DISEASE MANAGEMENT; MANAGED CARE ORGANIZATIONS. (a)
2 In this subsection, “managed care organization” includes a health maintenance
3 organization, a limited service health organization, and a preferred provider plan.

4 (b) In a contract with a managed care organization to provide medical
5 assistance, the department shall require the managed care organization to provide
6 a chronic disease management and case coordination program for every recipient of
7 medical assistance diagnosed with diabetes, asthma, congestive heart failure,
8 coronary artery disease, or a primary or secondary behavioral health diagnosis,
9 including substance abuse and depression.”.

10 **291.** Page 621, line 13: after that line insert:

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

12 **49.45 (60)** DENTAL SERVICES IN SOUTHEASTERN WISCONSIN. Beginning on January
13 1, 2010, the department shall provide dental benefits under this subchapter in
14 Kenosha, Milwaukee, Racine, and Waukesha counties on a fee-for-service basis.”.

15 **292.** Page 621, line 17: delete that line.

16 **293.** Page 623, line 6: delete lines 6 to 12.

17 **294.** Page 626, line 20: after that line insert:

18 “**SECTION 1337n.** 49.471 (4) (d) of the statutes is created to read:

19 **49.471 (4) (d)** An individual is eligible to purchase coverage of the benefits
20 described in sub. (11) for himself or herself and for his or her spouse and dependent
21 children, at the full per member per month cost of coverage, if all of the following
22 apply:

23 1. The individual lost his or her employer-sponsored health care coverage as
24 a result of his or her employer’s or former employer’s bankruptcy.

1 2. After losing his or her employer–sponsored health care coverage, the
2 individual received health care coverage through a voluntary employment benefit
3 association that was established before August 2006.

4 3. The individual is not otherwise eligible for coverage under this section.

5 4. The individual is under 65 years of age.”.

6 **295.** Page 630, line 23: after that line insert:

7 “**SECTION 1353n.** 49.471 (11c) of the statutes is created to read:

8 49.471 (11c) **PODIATRISTS’ SERVICES FOR CHILDLESS ADULTS.** The department shall
9 cover services under this section that are provided by podiatrists, as defined in s.
10 448.60 (3), within the scope of a podiatrist’s professional license, to individuals who
11 are eligible for the childless adults demonstration project under s. 49.45 (23) if the
12 services are covered when provided by a physician to those individuals.”.

13 **296.** Page 631, line 6: delete lines 6 to 8.

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

15 **298.** Page 635, line 22: delete the material beginning with that line and
16 ending with page 636, line 10.

17 **299.** Page 640, line 15: delete lines 15 and 16.

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

20 **301.** Page 642, line 12: delete lines 12 to 18.

21 **302.** Page 650, line 6: delete that line.

22 **303.** Page 655, line 14: delete lines 14 to 17 and substitute:

23 “**SECTION 1424y.** 51.15 (2) (intro.) of the statutes is amended to read:

1 51.15 (2) FACILITIES FOR DETENTION. (intro.) The law enforcement officer or
2 other person authorized to take a child into custody under ch. 48 or to take a juvenile
3 into custody under ch. 938 shall transport the individual, or cause him or her to be
4 transported, for detention, if the county department of community programs in the
5 county in which the individual was taken into custody approves the need for
6 detention, and for evaluation, diagnosis, and treatment if permitted under sub. (8)
7 to any of the following facilities:”.

8 **304.** Page 671, line 22: delete the material beginning with that line and
9 ending with page 672, line 4.

10 **305.** Page 672, line 4: after that line insert:

11 “**SECTION 1444v.** 59.52 (30) of the statutes is created to read:

12 59.52 (30) LIMITATION ON PERFORMANCE OF CONSTRUCTION WORK. A county may
13 not perform construction work, including road work, for a project that is directly or
14 indirectly owned, funded, or reimbursed, in whole or in part, by a private person.”.

15 **306.** Page 672, line 11: delete “KRM” and substitute “southeastern regional
16 transit”.

17 **307.** Page 672, line 17: delete “KRM” and substitute “SOUTHEASTERN REGIONAL
18 TRANSIT”.

19 **308.** Page 672, line 18: on lines 18 and 23, delete “KRM” and substitute
20 “southeastern regional transit”.

21 **309.** Page 673, line 4: after “(c)” insert “1.”.

22 **310.** Page 673, line 6: delete “1.” and substitute “a.”.

23 **311.** Page 673, line 8: delete “2.” and substitute “b.”.

1 **312.** Page 673, line 10: delete “3.” and substitute “c.”.

2 **313.** Page 673, line 12: delete “4.” and substitute “d.”.

3 **314.** Page 673, line 14: delete “5.” and substitute “e.”.

4 **315.** Page 673, line 14: delete “county executive of”.

5 **316.** Page 673, line 15: after “County” insert “board chairperson”.

6 **317.** Page 673, line 16: delete “6.” and substitute “f.”.

7 **318.** Page 673, line 18: delete “7.” and substitute “g.”.

8 **319.** Page 673, line 19: after that line insert:

9 “2. A majority of the board of directors’ full authorized membership constitutes
10 a quorum for the purpose of conducting the authority’s business and exercising its
11 powers. Action may be taken by the board of directors upon a vote of a majority of
12 the directors present and voting, unless the bylaws of the authority require a larger
13 number.”.

14 **320.** Page 673, line 21: after “line” insert “and to contract for and provide
15 transit service in Kenosha County and Racine County as specified in par. (k)”.

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

18 **322.** Page 673, line 23: after that line insert:

19 “(dm) A KRM commuter rail line may not include a stop in any municipality
20 in the counties of Racine and Kenosha, other than in the city of Racine or the city of
21 Kenosha, unless the municipality in which the stop is to be located provides for a
22 sustainable mechanism to generate additional moneys for transit systems receiving

1 funding under s. 85.20 that operate in Kenosha County or Racine County, as
2 applicable.”.

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

9 **324.** Page 673, line 24: after that line insert:

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

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

17 **325.** Page 675, line 22: after that line insert:

18 “(i) The authority is the only entity in the counties of Milwaukee, Racine, and
19 Kenosha that may submit an application to the federal transit administration in the
20 U.S. department of transportation under the federal new starts grant program for
21 funding for the KRM commuter rail line.

22 (j) The Milwaukee Transit Authority under s. 66.1038, and the operator of any
23 transit system in Kenosha County or Racine County receiving funding under s.

1 85.20, shall provide copies of all of their annual and long-term transit plans to the
2 southeastern regional transit authority as these plans become available.

3 (k) Upon a vote of approval by its governing body, any municipality in Kenosha
4 County or Racine County in which a transit system eligible to receive funding under
5 s. 85.20 is operated may contract with the authority for the authority to provide
6 transit services within the municipality.”.

7 **326.** Page 679, line 2: after that line insert:

8 “**SECTION 1459m.** 62.50 (18) (a) of the statutes is renumbered 62.50 (18) and
9 amended to read:

10 62.50 (18) No chief officer of either department or member of the fire
11 department may be deprived of any salary or wages for the period of time suspended
12 preceding an investigation or trial, unless the charge is sustained. ~~Except as~~
13 ~~provided in par. (b), no~~ No member of the police force may be ~~discharged or~~ suspended
14 under sub. (11) or (13) without pay or benefits until the matter that is the subject of
15 the ~~discharge or~~ suspension is disposed of by the board or the time for appeal under
16 sub. (13) passes without an appeal being made.

17 **SECTION 1459n.** 62.50 (18) (b) of the statutes is repealed.”.

18 **327.** Page 692, line 21: before “632.895” insert “632.885”.

19 **328.** Page 693, line 12: delete lines 12 to 19.

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

21 **330.** Page 699, line 17: after that line insert:

22 “**SECTION 1478r.** 66.0903 (1) (a) of the statutes is amended to read:

23 66.0903 (1) (a) “Area” means the county in which a proposed project of public
24 works that is subject to this section is located or, if the department determines that

1 there is insufficient wage data in that county, “area” means those counties that are
2 contiguous to that county or, if the department determines that there is insufficient
3 wage data in those counties, “area” means those counties that are contiguous to those
4 counties or, if the department determines that there is insufficient wage data in those
5 counties, “area” means the entire state or, if the department is requested to review
6 a determination under sub. (3) (br), “area” means the city, village or town in which
7 a proposed project of public works that is subject to this section is located.”.

8 **331.** Page 699, line 17: after that line insert:

9 “**SECTION 1478t.** 66.0903 (1) (am) of the statutes is created to read:

10 66.0903 (1) (am) “Bona fide economic benefit” has the meaning given in s.
11 103.49 (1) (am).”.

12 **332.** Page 699, line 23: after “includes” insert “a local public body and
13 corporate created by constitution, statute, ordinance, rule, or order, including
14 specifically”.

15 **333.** Page 699, line 24: after “66.1039” insert “, the Milwaukee Transit
16 Authority created under s. 66.1038, and the southeastern regional transit authority
17 created under s. 59.58 (7)”.

18 **334.** Page 699, line 24: after that line insert:

19 “**SECTION 1478x.** 66.0903 (1) (dr) of the statutes is created to read:

20 66.0903 (1) (dr) “Minor service and maintenance work” means a project of
21 public works that is limited to minor crack filling, chip or slurry sealing, or other
22 minor pavement patching, not including overlays, that has a projected life span of
23 no longer than 5 years; the depositing of gravel on an existing gravel road applied
24 solely to maintain the road; road shoulder maintenance; cleaning of drainage or

1 sewer ditches or structures; or any other limited, minor work on public facilities or
2 equipment that is routinely performed to prevent breakdown or deterioration.”.

3 **335.** Page 699, line 25: after that line insert:

4 “**SECTION 1479p.** 66.0903 (1) (g) 1. of the statutes is amended to read:

5 66.0903 (1) (g) 1. Except as provided in subd. 2., “prevailing wage rate” for any
6 trade or occupation engaged in the erection, construction, remodeling, repairing or
7 demolition, or improvement of any project of public works in any area means the
8 hourly basic rate of pay, plus the hourly contribution for health insurance benefits,
9 vacation benefits, pension benefits, and any other bona fide economic benefit, paid
10 directly or indirectly, for a majority of the hours worked in the trade or occupation
11 on projects in the area.

12 **SECTION 1479r.** 66.0903 (1) (g) 2. of the statutes is amended to read:

13 66.0903 (1) (g) 2. If there is no rate at which a majority of the hours worked in
14 the trade or occupation on projects in the area is paid, “prevailing wage rate” for any
15 trade or occupation engaged in the erection, construction, remodeling, repairing or
16 demolition, or improvement of any project of public works in any area means the
17 average hourly basic rate of pay, weighted by the number of hours worked, plus the
18 average hourly contribution, weighted by the number of hours worked, for health
19 insurance benefits, vacation benefits, pension benefits, and any other bona fide
20 economic benefit, paid directly or indirectly for all hours worked at the hourly basic
21 rate of pay of the highest-paid 51% of hours worked in that trade or occupation on
22 projects in that area.

23 **SECTION 1479t.** 66.0903 (1) (h) of the statutes is created to read:

1 66.0903 (1) (h) “Project of public works” means a project involving the erection,
2 construction, repair, remodeling, demolition, or improvement, including any
3 alteration, painting, decorating, or grading, of a public facility, including land, a
4 building, or other infrastructure.”.

5 **336.** Page 700, line 1: after that line insert:

6 “**SECTION 1480b.** 66.0903 (1) (im) of the statutes is created to read:

7 66.0903 (1) (im) “Supply and installation contract” means a contract under
8 which the material is installed by the supplier, the material is installed by means of
9 simple fasteners or connectors such as screws or nuts and bolts and no other work
10 is performed on the site of the project of public works, and the total labor cost to
11 install the material does not exceed 20 percent of the total cost of the contract.”.

12 **337.** Page 700, line 4: delete “remodeled, repaired, or demolished” and
13 substitute “repaired, remodeled, demolished, or improved”.

14 **338.** Page 700, line 6: delete “or bridge construction” and substitute “bridge,
15 building, or other infrastructure”.

16 **339.** Page 700, line 7: delete that line and substitute:

17 “(b) A project erected, constructed, repaired, remodeled,”.

18 **340.** Page 700, line 8: after “demolished” insert “, or improved”.

19 **341.** Page 700, line 9: delete “66.0301 (2) or 83.035” and substitute “66.0301
20 (2), 83.03, 83.035, or 86.31 (2) (b)”.

21 **342.** Page 700, line 11: delete that line and substitute:

22 “(c) A project in which the completed facility is leased,”.

1 **343.** Page 700, line 14: delete that line and substitute “erection, construction,
2 repair, remodeling, demolition, or improvement of the facility.”.

3 **344.** Page 700, line 15: after “street,” insert “bridge,”.

4 **345.** Page 700, line 16: delete that line and substitute “road, street, bridge,
5 sanitary sewer, or water main is acquired by, or dedicated to, a local governmental
6 unit, including”.

7 **346.** Page 700, line 17: delete “(2) for ownership” and substitute “(2), for
8 ownership or maintenance”.

9 **347.** Page 700, line 18: delete the material beginning with that line and
10 ending with page 701, line 6 and substitute:

11 “**SECTION 1480e.** 66.0903 (3) (am) of the statutes is amended to read:

12 66.0903 (3) (am) A local governmental unit, before making a contract ~~by direct~~
13 ~~negotiation~~ or soliciting bids on a contract, for the erection, construction, remodeling,
14 repairing or, demolition, or improvement of any project of public works, ~~including a~~
15 ~~highway, street or bridge construction project~~, shall apply to the department to
16 determine the prevailing wage rate for each trade or occupation required in the work
17 contemplated under contemplation in the area in which the work is to be done. The
18 department shall conduct investigations and hold public hearings as necessary to
19 define the trades or occupations that are commonly employed on projects of public
20 works that are subject to this section and to inform itself as to the prevailing wage
21 rates in all areas of the state for those trades or occupations, in order to determine
22 the prevailing wage rate for each trade or occupation. The department shall issue
23 its determination within 30 days after receiving the request and shall file the
24 determination with the requesting local governmental unit.

1 **SECTION 1480g.** 66.0903 (3) (ar) of the statutes is amended to read:

2 66.0903 (3) (ar) The department shall, by January 1 of each year, compile the
3 prevailing wage rates for each trade or occupation in each area. The compilation
4 shall, in addition to the current prevailing wage rates, include future prevailing
5 wage rates when those prevailing wage rates can be determined for any trade or
6 occupation in any area and shall specify the effective date of those future prevailing
7 wage rates. If a ~~construction~~ project of public works extends into more than one area
8 there shall be but one standard of prevailing wage rates for the entire project.”.

9 **348.** Page 701, line 13: after that line insert:

10 “**SECTION 1481f.** 66.0903 (3) (br) of the statutes is amended to read:

11 66.0903 (3) (br) In addition to the recalculation under par. (bm), the local
12 governmental unit that requested the determination under this subsection may
13 request a review of any portion of a determination within 30 days after the date of
14 issuance of the determination if the local governmental unit submits evidence with
15 the request showing that the prevailing wage rate for any given trade or occupation
16 included in the determination does not represent the prevailing wage rate for that
17 trade or occupation in the city, village, or town in which the proposed project of public
18 works is located. That evidence shall include wage rate information for the contested
19 trade or occupation on at least 3 similar projects located in the city, village, or town
20 where the proposed project of public works is located and on which some work has
21 been performed during the current survey period and which were considered by the
22 department in issuing its most recent compilation under par. (ar). The department
23 shall affirm or modify the determination within 15 days after the date on which the
24 department receives the request for review.”.

1 **349.** Page 701, line 18: after “project” insert “of public works”.

2 **350.** Page 702, line 8: after that line insert:

3 “**SECTION 1481j.** 66.0903 (4) (a) 1. of the statutes is amended to read:

4 66.0903 (4) (a) 1. All laborers, workers, mechanics, and truck drivers employed
5 on the site of a project of public works that is subject to this section.

6 **SECTION 1481L.** 66.0903 (4) (a) 2. of the statutes is amended to read:

7 66.0903 (4) (a) 2. All laborers, workers, mechanics, and truck drivers employed
8 in the manufacturing or furnishing of materials, articles, supplies, or equipment on
9 the site of a project of public works that is subject to this section or from a facility
10 dedicated exclusively, or nearly so, to a project of public works that is subject to this
11 section by a contractor, subcontractor, agent, or other person performing any work
12 on the site of the project.

13 **SECTION 1481m.** 66.0903 (4) (b) 1. of the statutes is amended to read:

14 66.0903 (4) (b) 1. The laborer, worker, mechanic, or truck driver is employed
15 to go to the source of mineral aggregate such as sand, gravel, or stone that is to be
16 immediately incorporated into the work, and not stockpiled or further transported
17 by truck, pick up that mineral aggregate, and deliver that mineral aggregate to the
18 site of a project of public works that is subject to this section by depositing the
19 material substantially in place, directly or through spreaders from the transporting
20 vehicle.

21 **SECTION 1481n.** 66.0903 (4) (b) 2. of the statutes is amended to read:

22 66.0903 (4) (b) 2. The laborer, worker, mechanic, or truck driver is employed
23 to go to the site of a project of public works that is subject to this section, pick up

1 excavated material or spoil from the site of the project, and transport that excavated
2 material or spoil away from the site of the project.”.

3 **351.** Page 702, line 9: delete lines 9 to 14.

4 **352.** Page 703, line 7: delete lines 7 and 8 and substitute:

5 “**SECTION 1482j.** 66.0903 (5) (c) of the statutes is created to read:

6 66.0903 (5) (c) Minor service or maintenance work, warranty work, or work
7 under a supply and installation contract.

8 **SECTION 1482L.** 66.0903 (8) of the statutes is amended to read:

9 66.0903 (8) POSTING. For the information of the employees working on the
10 project of public works, the prevailing wage rates determined by the department or
11 exempted local governmental unit, the prevailing hours of labor, and the provisions
12 of subs. (10) (a) and (11) (a) shall be kept posted by the local governmental unit in at
13 least one conspicuous and easily accessible place on the site of the project or, if there
14 is no common site on the project, at the place normally used by the local
15 governmental unit to post public notices.

16 **SECTION 1482n.** 66.0903 (9) (b) of the statutes is amended to read:

17 66.0903 (9) (b) Upon completion of a project of public works and before
18 receiving final payment for his or her work on the project, each agent or
19 subcontractor shall furnish the contractor with an affidavit stating that the agent
20 or subcontractor has complied fully with the requirements of this section. A
21 contractor may not authorize final payment until the affidavit is filed in proper form
22 and order.

23 **SECTION 1482p.** 66.0903 (9) (c) of the statutes is amended to read:

1 66.0903 (9) (c) Upon completion of a project of public works and before receiving
2 final payment for his or her work on the project, each contractor shall file with the
3 local governmental unit authorizing the work an affidavit stating that the contractor
4 has complied fully with the requirements of this section and that the contractor has
5 received an affidavit under par. (b) from each of the contractor's agents and
6 subcontractors. A local governmental unit may not authorize a final payment until
7 the affidavit is filed in proper form and order. If a local governmental unit authorizes
8 a final payment before an affidavit is filed in proper form and order or if the
9 department determines, based on the greater weight of the credible evidence, that
10 any person performing the work specified in sub. (4) has been or may have been paid
11 less than the prevailing wage rate or less than 1.5 times the hourly basic rate of pay
12 for all hours worked in excess of the prevailing hours of labor and requests that the
13 local governmental unit withhold all or part of the final payment, but the local
14 governmental unit fails to do so, the local governmental unit is liable for all back
15 wages payable up to the amount of the final payment.

16 **SECTION 1483d.** 66.0903 (10) (a) of the statutes is amended to read:

17 66.0903 (10) (a) Each contractor, subcontractor, or contractor's or
18 subcontractor's agent performing work on a project of public works that is subject to
19 this section shall keep full and accurate records clearly indicating the name and
20 trade or occupation of every person performing the work described in sub. (4) and an
21 accurate record of the number of hours worked by each of those persons and the
22 actual wages paid for the hours worked.”.

23 **353.** Page 703, line 16: delete lines 16 and 17 and substitute “apply to a
24 contractor, subcontractor, or agent if all persons employed by the contractor,

1 subcontractor, or agent who are performing the work described in sub. (4) are covered
2 under a collective bargaining agreement and the wage rates for those persons under
3 the collective bargaining agreement are not less than the prevailing wage rate. In
4 that case, the contractor,”.

5 **354.** Page 703, line 19: delete “the collective bargaining agreement” and
6 substitute “all collective bargaining agreements that are pertinent to the project of
7 public works”.

8 **355.** Page 704, line 4: after that line insert:

9 “SECTION 1483h. 66.0903 (10) (b) of the statutes is amended to read:

10 66.0903 (10) (b) The department or the contracting local governmental unit
11 may demand and examine, and every contractor, subcontractor, and contractor’s or
12 subcontractor’s agent shall keep, and furnish upon request by the department or
13 local governmental unit, copies of payrolls and other records and information
14 relating to the wages paid to persons performing the work described in sub. (4) for
15 work to which this section applies. The department may inspect records in the
16 manner provided in ch. 103. Every contractor, subcontractor, or agent performing
17 work on a project of public works that is subject to this section is subject to the
18 requirements of ch. 103 relating to the examination of records.”.

19 **356.** Page 704, line 8: after “project” insert “of public works”.

20 **357.** Page 704, line 24: after that line insert:

21 “SECTION 1484f. 66.0903 (11) (a) of the statutes is renumbered 66.0903 (11) (a)
22 1. and amended to read:

23 66.0903 (11) (a) 1. Any contractor, subcontractor, or contractor’s or
24 subcontractor’s agent who fails to pay the prevailing wage rate determined by the

1 department under sub. (3) or who pays less than 1.5 times the hourly basic rate of
2 pay for all hours worked in excess of the prevailing hours of labor is liable to any
3 affected employee in the amount of his or her unpaid wages or his or her unpaid
4 overtime compensation and in an additional equal amount as liquidated damages.
5 ~~An action to recover the liability may be maintained in any court of competent~~
6 ~~jurisdiction by any~~ as provided under subd. 2., 3., or 4., whichever is applicable.

7 3. In addition to or in lieu of recovering the liability specified in subd. 1. as
8 provided in subd. 2., any employee for and in behalf of that employee and other
9 employees similarly situated, may commence an action to recover that liability in
10 any court of competent jurisdiction. In an action that is commenced before the end
11 of any period specified by the department under subd. 2., if the court finds that a
12 contractor, subcontractor, or contractor's or subcontractor's agent has failed to pay
13 the prevailing wage rate determined by the department under sub. (3) or has paid
14 less than 1.5 times the hourly basic rate of pay for all hours worked in excess of the
15 prevailing hours of labor, the court shall order the contractor, subcontractor, or agent
16 to pay to any affected employee the amount of his or her unpaid wages or his or her
17 unpaid overtime compensation and an additional amount equal to 100 percent of the
18 amount of those unpaid wages or that unpaid overtime compensation as liquidated
19 damages.

20 5. No employee may be a party plaintiff to the an action under subd. 3. or 4.
21 unless the employee consents in writing to become a party and the consent is filed
22 in the court in which the action is brought. Notwithstanding s. 814.04 (1), the court
23 shall, in addition to any judgment awarded to the plaintiff, allow reasonable attorney
24 fees and costs to be paid by the defendant.

25 **SECTION 1485g.** 66.0903 (11) (a) 2. of the statutes is created to read:

1 66.0903 (11) (a) 2. If the department determines upon inspection under sub.
2 (10) (b) or (c) that a contractor, subcontractor, or contractor’s or subcontractor’s agent
3 has failed to pay the prevailing wage rate determined by the department under sub.
4 (3) or has paid less than 1.5 times the hourly basic rate of pay for all hours worked
5 in excess of the prevailing hours of labor, the department shall order the contractor
6 to pay to any affected employee the amount of his or her unpaid wages or his or her
7 unpaid overtime compensation and an additional amount equal to 100 percent of the
8 amount of those unpaid wages or that unpaid overtime compensation as liquidated
9 damages within a period specified by the department in the order.

10 **SECTION 1485g.** 66.0903 (11) (a) 4. of the statutes is created to read:

11 66.0903 (11) (a) 4. In an action that is commenced after the end of any period
12 specified by the department under subd. 2., if the court finds that a contractor,
13 subcontractor, or contractor’s or subcontractor’s agent has failed to pay the
14 prevailing wage rate determined by the department under sub. (3) or has paid less
15 than 1.5 times the hourly basic rate of pay for all hours worked in excess of the
16 prevailing hours of labor, the court shall order the contractor, subcontractor, or agent
17 to pay to any affected employee the amount of his or her unpaid wages or his or her
18 unpaid overtime compensation and an additional amount equal to 200 percent of the
19 amount of those unpaid wages or that unpaid overtime compensation as liquidated
20 damages.”.

21 **358.** Page 704, line 24: after that line insert:

22 “**SECTION 1484t.** 66.0903 (11) (b) 2. of the statutes is amended to read:

23 66.0903 (11) (b) 2. Whoever induces any person who seeks to be or is employed
24 on any project of public works that is subject to this section to give up, waive, or

1 return any part of the wages to which the person is entitled under the contract
2 governing the project, or who reduces the hourly basic rate of pay normally paid to
3 a person for work on a project that is not subject to this section during a week in which
4 the person works both on a project of public works that is subject to this section and
5 on a project that is not subject to this section, by threat not to employ, by threat of
6 dismissal from employment, or by any other means is guilty of an offense under s.
7 946.15 (1).

8 **SECTION 1484v.** 66.0903 (11) (b) 3. of the statutes is amended to read:

9 66.0903 (11) (b) 3. Any person employed on a project of public works that is
10 subject to this section who knowingly permits a contractor, subcontractor, or
11 contractor's or subcontractor's agent to pay him or her less than the prevailing wage
12 rate set forth in the contract governing the project, who gives up, waives, or returns
13 any part of the compensation to which he or she is entitled under the contract, or who
14 gives up, waives, or returns any part of the compensation to which he or she is
15 normally entitled for work on a project that is not subject to this section during a
16 week in which the person works both on a project of public works that is subject to
17 this section and on a project that is not subject to this section, is guilty of an offense
18 under s. 946.15 (2).”.

19 **359.** Page 705, line 2: after “project” insert “of public works”.

20 **360.** Page 705, line 8: after “project” insert “of public works”.

21 **361.** Page 705, line 13: after that line insert:

22 “**SECTION 1486f.** 66.0903 (12) (d) of the statutes is amended to read:

23 66.0903 (12) (d) Any person submitting a bid or negotiating a contract on a
24 project of public works that is subject to this section shall, on the date the person

1 submits the bid or negotiates the contract, identify any construction business in
2 which the person, or a shareholder, officer or partner of the person, if the person is
3 a business, owns, or has owned at least a 25% interest on the date the person submits
4 the bid or negotiates the contract or at any other time within 3 years preceding the
5 date the person submits the bid or negotiates the contract, if the business has been
6 found to have failed to pay the prevailing wage rate determined under sub. (3) or to
7 have paid less than 1.5 times the hourly basic rate of pay for all hours worked in
8 excess of the prevailing hours of labor.”.

9 **362.** Page 706, line 2: after that line insert:

10 “(am) “Bona fide economic benefit” has the meaning given in s. 103.49 (1)
11 (am).”.

12 **363.** Page 706, line 4: delete lines 4 to 19 and substitute:

13 “(c) “Direct financial assistance” means moneys, in the form of a grant or other
14 agreement or included as part of a contract, cooperative agreement, or any other
15 arrangement, including a redevelopment agreement under s. 66.1333 (5), economic
16 development agreement, contract under s. 66.1105 (3), or assistance provided under
17 s. 66.1109, that a local governmental unit directly provides or otherwise directly
18 makes available to assist in the erection, construction, repair, remodeling,
19 demolition, or improvement of a private facility. “Direct financial assistance” does
20 not include any of the following:

21 1. A public works contract, a supply procurement contract, a contract of
22 insurance or guaranty, a collective bargaining agreement, or any other contract
23 under which moneys are not directly provided or otherwise directly made available
24 for that assistance.

1 2. Any moneys allocated by the city of Milwaukee for the purchase of public
2 access easements that are located entirely in the Milwaukee Riverwalk Site Plan
3 Review Overlay District established by the city of Milwaukee, as amended to June
4 1, 2009, or for the construction of dockwalls, walkways, plazas, parks, private
5 roadways open to the public, or similar improvements, or for any other public
6 infrastructure improvements, that are located entirely in that district, if the work
7 on those improvements is subject to s. 66.0903 or is exempted from that section under
8 s. 66.0903 (6).”.

9 **364.** Page 706, line 22: after that line insert:

10 “(fm) “Minor service and maintenance work” means a publicly funded private
11 construction project that is limited to minor crack filling, chip or slurry sealing, or
12 other minor pavement patching, not including overlays, that has a projected life span
13 of no longer than 5 years; the depositing of gravel on an existing gravel road applied
14 solely to maintain the road; road shoulder maintenance; cleaning of drainage or
15 sewer ditches or structures; or any other limited, minor work on private facilities or
16 equipment that is routinely performed to prevent breakdown or deterioration.”.

17 **365.** Page 706, line 25: delete “or”.

18 **366.** Page 707, line 1: after “demolition” insert “, or improvement”.

19 **367.** Page 707, line 8: delete “or”.

20 **368.** Page 707, line 9: after “demolition” insert “, or improvement”.

21 **369.** Page 707, line 16: delete lines 16 to 18.

22 **370.** Page 707, line 19: delete “unit.” and substitute:

1 “(i) “Publicly funded private construction project” means a construction project
2 in which the developer, investor, or owner of the project receives direct financial
3 assistance from a local governmental unit for the erection, construction, repair,
4 remodeling, demolition, or improvement, including any alteration, painting,
5 decorating, or grading, of a private facility, including land, a building, or other
6 infrastructure.”.

7 **371.** Page 707, line 20: delete “that is subject to s 66.0903” and substitute “,
8 as defined in s. 66.0903 (1) (h),”.

9 **372.** Page 708, line 1: delete “facility” and substitute “residential property”.

10 **373.** Page 708, line 2: after that line insert:

11 “(im) “Supply and installation contract” means a contract under which the
12 material is installed by the supplier, the material is installed by means of simple
13 fasteners or connectors such as screws or nuts and bolts and no other work is
14 performed on the site of the publicly funded private construction project, and the
15 total labor cost to install the material does not exceed 20 percent of the total cost of
16 the contract.”.

17 **374.** Page 708, line 6: delete “or demolition” and substitute “, demolition, or
18 improvement”.

19 **375.** Page 709, line 9: delete “section.” and substitute “section in the
20 performance of erection, construction, remodeling, repair, demolition, or
21 improvement activities for which direct financial assistance is received.”.

22 **376.** Page 709, line 11: after “equipment” insert “for which direct financial
23 assistance is received”.

24 **377.** Page 710, line 9: delete lines 9 to 12.

1 **378.** Page 710, line 20: delete “project is located” and substitute “work is to
2 be done”.

3 **379.** Page 711, line 3: after “providing” insert “direct”.

4 **380.** Page 712, line 25: delete that line and substitute:

5 “(c) Minor service or maintenance work, warranty work, or work under a supply
6 and installation contract.”.

7 **381.** Page 715, line 1: delete lines 1 and 2 and substitute “apply to a
8 contractor, subcontractor, or agent if all persons employed by the contractor,
9 subcontractor, or agent who are performing the work described in sub. (3) are covered
10 under a collective bargaining agreement and the wage rates for those persons under
11 the collective bargaining agreement are not less than the prevailing wage rate. In
12 that case, the contractor,”.

13 **382.** Page 715, line 4: delete “the collective bargaining agreement” and
14 substitute “all collective bargaining agreements that are pertinent to the project”.

15 **383.** Page 715, line 15: after “providing” insert “direct”.

16 **384.** Page 717, line 1: delete lines 1 to 13 and substitute:

17 “(9) LIABILITY AND PENALTIES. (a) 1. Any contractor, subcontractor, or
18 contractor’s or subcontractor’s agent who fails to pay the prevailing wage rate
19 determined by the department under sub. (4) or who pays less than 1.5 times the
20 hourly basic rate of pay for all hours worked in excess of the prevailing hours of labor
21 is liable to any affected employee in the amount of his or her unpaid wages or his or
22 her unpaid overtime compensation and in an additional amount as liquidated
23 damages as provided in subd. 2., 3., or 4., whichever is applicable.

1 2. If the department determines upon inspection under sub. (8) (b) or (c) that
2 a contractor, subcontractor, or contractor's or subcontractor's agent has failed to pay
3 the prevailing wage rate determined by the department under sub. (4) or has paid
4 less than 1.5 times the hourly basic rate of pay for all hours worked in excess of the
5 prevailing hours of labor, the department shall order the contractor to pay to any
6 affected employee the amount of his or her unpaid wages or his or her unpaid
7 overtime compensation and an additional amount equal to 100 percent of the amount
8 of those unpaid wages or that unpaid overtime compensation as liquidated damages
9 within a period specified by the department in the order.

10 3. In addition to or in lieu of recovering the liability specified in subd. 1. as
11 provided in subd. 2., any employee for and in behalf of that employee and other
12 employees similarly situated may commence an action to recover that liability in any
13 court of competent jurisdiction. In an action that is commenced before the end of any
14 period specified by the department under subd. 2., if the court finds that a contractor,
15 subcontractor, or contractor's or subcontractor's agent has failed to pay the
16 prevailing wage rate determined by the department under sub. (4) or has paid less
17 than 1.5 times the hourly basic rate of pay for all hours worked in excess of the
18 prevailing hours of labor, the court shall order the contractor, subcontractor, or agent
19 to pay to any affected employee the amount of his or her unpaid wages or his or her
20 unpaid overtime compensation and an additional amount equal to 100 percent of the
21 amount of those unpaid wages or that unpaid overtime compensation as liquidated
22 damages.

23 4. In an action that is commenced after the end of any period specified by the
24 department under subd. 2., if the court finds that a contractor, subcontractor, or
25 contractor's or subcontractor's agent has failed to pay the prevailing wage rate

1 determined by the department under sub. (4) or has paid less than 1.5 times the
2 hourly basic rate of pay for all hours worked in excess of the prevailing hours of labor,
3 the court shall order the contractor, subcontractor, or agent to pay to any affected
4 employee the amount of his or her unpaid wages or his or her unpaid overtime
5 compensation and an additional amount equal to 200 percent of the amount of those
6 unpaid wages or that unpaid overtime compensation as liquidated damages.

7 5. No employee may be a party plaintiff to an action under subd. 3. or 4. unless
8 the employee consents in writing to become a party and the consent is filed in the
9 court in which the action is brought. Notwithstanding s. 814.04 (1), the court shall,
10 in addition to any judgment awarded to the plaintiff, allow reasonable attorney fees
11 and costs to be paid by the defendant.”.

12 **385.** Page 717, line 23: delete “both on a” and substitute “both on a publicly
13 funded private construction”.

14 **386.** Page 718, line 8: delete “both on a” and substitute “both on a publicly
15 funded private construction”.

16 **387.** Page 720, line 11: after that line insert:

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

18 **66.1038 Milwaukee Transit Authority. (1) DEFINITIONS.** In this section,
19 “authority” means the Milwaukee Transit Authority created under this section.

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

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

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

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

10 1. Three members from Milwaukee County who are elected county officials,
11 appointed by the Milwaukee County board chairperson.

12 2. Two members from the city of Milwaukee who are elected city officials,
13 appointed by the mayor of the city of Milwaukee.

14 3. Two members from Milwaukee County, appointed by the governor.

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

17 **(4) POWERS.** (a) Notwithstanding s. 59.84 (2) and any other provision of this
18 chapter or ch. 59 or 85, but subject to sub. (5), the authority may contract with
19 Milwaukee County for the authority’s provision of transit services within Milwaukee
20 County if the contract is a long–term and ongoing contract. The authority shall have
21 all powers necessary and convenient to carry out this purpose. Both the authority
22 and Milwaukee County shall provide copies of all of their annual and long–term
23 transit plans to the southeastern regional transit authority as these plans become
24 available. The authority’s powers shall be limited to those specified in this
25 subsection and sub. (5).

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

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

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

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

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

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

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

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

23 **390.** Page 723, line 4: after that line insert:

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

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

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

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

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

21 **391.** Page 723, line 4: after that line insert:

22 “(e) *Chequamegon Bay regional transit authority.* 1. The Chequamegon Bay
23 regional transit authority, a public body corporate and politic and a separate
24 governmental entity, is created if the governing bodies of the counties of Ashland and

1 Bayfield each adopt a resolution authorizing that county to become a member of the
2 authority and each resolution is ratified by the electors at a referendum held in each
3 county. Except as provided in subd. 2., once created, this authority shall consist of
4 the counties of Ashland and Bayfield and any municipality located in whole or in part
5 within these counties. Once created, this authority may transact business and
6 exercise any powers granted to it under this section.

7 2. After an authority is created under subd. 1., any county other than Ashland
8 County or Bayfield County may join this authority if the governing body of the county
9 adopts a resolution authorizing the county to become a member of the authority, the
10 resolution is ratified by the electors at a referendum held in the county, and the board
11 of directors of the authority approves the county's joinder. If a county becomes a
12 member of an authority under this subdivision, any municipality located in whole
13 or in part within the county shall also be a member of the authority.

14 3. The jurisdictional area of the authority created under this subsection is the
15 combined territorial boundaries of the counties of Ashland and Bayfield and any
16 county that joins the authority under subd. 2.

17 4. If a county joins the authority under subd. 2. after it is created, the authority
18 shall provide the department of revenue with a certified copy of the resolution that
19 approves the joining, a certification of the referendum results ratifying this
20 resolution, and a certified copy of the authority's board of directors approval. The
21 county's joining of the authority shall take effect on the first day of the calendar
22 quarter that begins at least 120 days after the department receives this information.
23 The authority shall also provide the department with a description of the new
24 boundaries of the authority's jurisdictional area, as provided under sub. (4) (s) 2.".

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

3 **393.** Page 723, line 7: delete “par. (b)” and substitute “pars. (b) and (c) 5.”.

4 **394.** Page 723, line 12: delete lines 12 to 18.

5 **395.** Page 724, line 4: after “authority,” insert “or from a city within the
6 jurisdictional area of the authority other than a city from which a member is
7 appointed under subd. 2. or 4.,”.

8 **396.** Page 724, line 5: after “Association.” insert “A member appointed under
9 this subdivision may not serve more than one consecutive term. Board membership
10 under this subdivision shall follow a rotating order of succession and every village
11 or city eligible to have a member appointed from that village or city shall have such
12 a member appointed before any village or city has an opportunity to have another
13 member appointed under this subdivision.”.

14 **397.** Page 724, line 5: after that line insert:

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

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

21 b. The board of directors shall include at least 3 members from Eau Claire
22 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 **398.** Page 724, line 5: after that line insert:

15 “(fm) If any provision of this subsection provides for the appointment of a
16 member of an authority's board of directors by the mayor of a city that has no mayor,
17 the appointment shall instead be made by the chairperson of the common council.
18 If any provision of this subsection provides for the appointment of a member of an
19 authority's board of directors by the county executive of a county that has no county
20 executive, the appointment shall be made by the chairperson of the county board.”.

21 **399.** Page 724, line 5: after that line insert:

22 “(f) 1. If an authority is created under sub. (2) (e), the board of directors of the
23 authority shall be determined by resolution of the governing bodies of the counties

1 of Ashland and Bayfield and of any county that joins the authority under sub. (2) (e)
2 2., except that all of the following shall apply:

3 a. The board of directors shall consist of not more than 17 members, unless the
4 minimum number of members specified in this subd. 1. b. to d. exceeds 17.

5 b. The board of directors shall include at least 3 members each from the
6 counties of Ashland and Bayfield and from any county that joins the authority under
7 sub. (2) (e) 2., appointed by the county executive and approved by the county board.

8 c. The board of directors shall include at least one member from the most
9 populous city of each county that is a member, appointed by the mayor of the city and
10 approved by the common council of the city.

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

13 2. If the governing bodies of the counties of Ashland and Bayfield and of any
14 county that joins the authority under sub. (2) (e) 2. are unable to agree upon a
15 composition of the board of directors as specified in subd. 1., the board of directors
16 of the authority shall be limited to the minimum members specified in subd. 1. b. to
17 d.”.

18 **400.** Page 724, line 12: after that line insert:

19 “4. The composition of the board of directors of the authority, as determined
20 under par. (d) or (f).”.

21 **401.** Page 727, line 6: delete “an advisory” and substitute “a”.

22 **402.** Page 727, line 8: after “77” insert “and the referendum is decided in the
23 affirmative”.

24 **403.** Page 727, line 8: delete “should” and substitute “may”.

1 **404.** Page 728, line 8: after that line insert:

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

8 4. Notwithstanding subd. 1., an authority created under sub. (2) (e) may not
9 impose the taxes authorized under subd. 1. unless the authorizing resolution under
10 sub. (2) (e) 1. and, if applicable, subd. 2., as well as the referendum question on the
11 referendum ballot specified in sub. (2) (e) 1. and, if applicable, subd. 2., clearly
12 identifies the maximum rate of the taxes that may be imposed by the authority under
13 subd. 1.”.

14 **405.** Page 728, line 9: delete lines 9 to 11.

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

16 **407.** Page 734, line 13: delete “(15),” and substitute “(15m),”.

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

21 **409.** Page 734, line 22: after “3.” insert “, (c) 3., or (e) 2.”.

1 **410.** Page 734, line 25: after “authority” insert “and, if the political
2 subdivision joined the authority under sub. (2) (e) 2., the resolution is ratified by the
3 electors at a referendum held in the political subdivision”.

4 **411.** Page 735, line 7: after “withdrawal.” insert “If the political subdivision
5 joined the authority under sub. (2) (e) 2., the authority shall also provide the
6 department of revenue with a certification of the referendum results ratifying the
7 withdrawal resolution and the department shall use the date that it receives this
8 certification of referendum results for purposes of calculating the effective date of
9 withdrawal under this paragraph.”.

10 **412.** Page 735, line 13: delete lines 13 to 21.

11 **413.** Page 735, line 21: after that line insert:

12 “(15m) DANE COUNTY HIGHWAY PROJECTS. An authority created under sub. (2)
13 (b) may transfer revenues from taxes imposed by the authority under sub. (4) (s) to
14 any political subdivision within the authority’s jurisdictional area to fund highway
15 projects within the authority’s jurisdictional area. If any transfer is made under this
16 subsection, the authority’s board shall determine the recipients and amounts of all
17 such transfers, except that the authority may not transfer under this subsection
18 more than 25 percent of revenues from taxes imposed by the authority under sub. (4)
19 (s).”.

20 **414.** Page 736, line 2: after that line insert:

21 “**SECTION 1488s.** 66.1103 (2) (k) 20. of the statutes is amended to read:

22 66.1103 (2) (k) 20. A shopping center, or an office building, convention or trade
23 center, hotel, motel or other nonresidential facility, which is located in or adjacent to
24 a blighted area as defined by s. 66.1105 (2) ~~(a)~~ (ae), 66.1331 (3) (a) or 66.1333 (2m)

1 (b) or in accordance with a redevelopment plan or urban renewal plan adopted under
2 s. 66.1331 (5) or 66.1333 (6).

3 **SECTION 1488u.** 66.1105 (2) (a) of the statutes is renumbered 66.1105 (2) (ae).

4 **SECTION 1488uc.** 66.1105 (2) (ab) of the statutes is created to read:

5 66.1105 (2) (ab) “Affordable housing” means housing that costs a household no
6 more than 30 percent of the household’s gross monthly income.

7 **SECTION 1488ue.** 66.1105 (2) (bq) of the statutes is created to read:

8 66.1105 (2) (bq) “Household” means an individual and his or her spouse and all
9 minor dependents.”.

10 **415.** Page 736, line 7: after that line insert:

11 “**SECTION 1489e.** 66.1105 (6) (c) of the statutes is amended to read:

12 66.1105 (6) (c) Except for tax increments allocated under par. (d), (dm), (e), ~~or~~
13 (f), or (g) all tax increments received with respect to a tax incremental district shall,
14 upon receipt by the city treasurer, be deposited into a special fund for that district.
15 The city treasurer may deposit additional moneys into such fund pursuant to an
16 appropriation by the common council. No moneys may be paid out of such fund
17 except to pay project costs with respect to that district, to reimburse the city for such
18 payments, to pay project costs of a district under par. (d), (dm), (e), ~~or (f), or (g)~~ or to
19 satisfy claims of holders of bonds or notes issued with respect to such district. Subject
20 to par. (d), (dm), (e), ~~or (f), or (g)~~, moneys paid out of the fund to pay project costs with
21 respect to a district may be paid out before or after the district is terminated under
22 sub. (7). Subject to any agreement with bondholders, moneys in the fund may be
23 temporarily invested in the same manner as other city funds if any investment
24 earnings are applied to reduce project costs. After all project costs and all bonds and

1 notes with respect to the district have been paid or the payment thereof provided for,
2 subject to any agreement with bondholders, if there remain in the fund any moneys
3 that are not allocated under par. (d), (dm), (e), ~~or~~ (f), or (g), they shall be paid over to
4 the treasurer of each county, school district or other tax levying municipality or to
5 the general fund of the city in the amounts that belong to each respectively, having
6 due regard for that portion of the moneys, if any, that represents tax increments not
7 allocated to the city and that portion, if any, that represents voluntary deposits of the
8 city into the fund.

9 **SECTION 1489i.** 66.1105 (6) (g) of the statutes is created to read:

10 66.1105 **(6)** (g) 1. After the date on which a tax incremental district created by
11 a city pays off the aggregate of all of its project costs, and notwithstanding the time
12 at which such a district would otherwise be required to terminate under sub. (7), a
13 city may extend the life of the district for one year if the city does all of the following:

14 a. The city adopts a resolution extending the life of the district for a specified
15 number of months. The resolution shall specify how the city intends to improve its
16 housing stock, as required in subd. 3.

17 b. The city forwards a copy of the resolution to the department of revenue,
18 notifying the department that it must continue to authorize the allocation of tax
19 increments to the district under par. (a).

20 2. If the department of revenue receives a notice described under subd. 1. b.,
21 it shall continue authorizing the allocation of tax increments to the district under
22 par. (a) during the district's life, as extended by the city, as if the district's costs had
23 not been paid off and without regard to whether any of the time periods specified in
24 par. (a) 2. to 8. would otherwise require terminating the allocation of such
25 increments.

1 3. If a city receives tax increments as described in subd. 2., the city shall use
2 at least 75 percent of the increments received to benefit affordable housing in the city.
3 The remaining portion of the increments shall be used by the city to improve the city’s
4 housing stock.”.

5 **416.** Page 746, line 25: after “subs.” insert “(3m) (c).”.

6 **417.** Page 747, line 14: delete “s. 66.1039.” and substitute “s. 59.58 (7).
7 66.1038. or 66.1039.”.

8 **418.** Page 747, line 24: after that line insert:

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

10 70.11 **(3m)** STUDENT HOUSING FACILITIES. (a) All real and personal property of
11 a housing facility for which all of the following applies:

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

13 2. At least 90 percent of the facility’s residents are students enrolled at the
14 University of Wisconsin–Madison and the facility houses no more than 300 such
15 students.

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

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

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

23 1. Maintenance of the leased property.

24 2. Construction debt retirement of the leased property.

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

3 **419.** Page 749, line 17: after “entity” insert “that is a benevolent association”.

4 **420.** Page 749, line 17: delete “LOW-INCOME” and substitute “BENEVOLENT
5 LOW-INCOME”.

6 **421.** Page 750, line 5: delete “the occupied” and substitute “the”.

7 **422.** Page 752, line 10: after “is” insert “owned by a nonprofit entity that is
8 a benevolent association and”.

9 **423.** Page 752, line 10: delete “RETIREMENT” and substitute “BENEVOLENT
10 RETIREMENT”.

11 **424.** Page 752, line 14: delete “160” and substitute “130”.

12 **425.** Page 753, line 1: delete “an equal percentage”.

13 **426.** Page 753, line 2: delete that line and substitute “the common area of the
14 retirement home for the aged is subject to general”.

15 **427.** Page 753, line 14: delete lines 14 to 18.

16 **428.** Page 768, line 15: after “503,” insert “512,”.

17 **429.** Page 768, line 15: delete “section” and substitute “sections 811 and”.

18 **430.** Page 768, line 16: after “110–140,” insert “P.L. 110–141, P.L. 110–142,
19 P.L. 110–166,”.

20 **431.** Page 769, line 13: after “503,” insert “512,”.

21 **432.** Page 769, line 14: delete “section” and substitute “sections 811 and”.

22 **433.** Page 770, line 11: after “503,” insert “512,”.

- 1 **434.** Page 770, line 12: delete “section” and substitute “sections 811 and”.
- 2 **435.** Page 771, line 11: after “503,” insert “512,”.
- 3 **436.** Page 771, line 12: delete “section” and substitute “sections 811 and”.
- 4 **437.** Page 772, line 18: delete “KRM” and substitute “southeastern regional
5 transit”.
- 6 **438.** Page 773, line 23: delete “40” and substitute “30”.
- 7 **439.** Page 774, line 5: after that line insert:
- 8 “**SECTION 1543c.** 71.05 (6) (b) 32. (intro.) of the statutes is amended to read:
- 9 71.05 **(6)** (b) 32. (intro.) An amount paid into a college savings account, as
10 described in s. 14.64, if the beneficiary of the account is one of the following: the
11 claimant; the claimant’s child ~~and the claimant’s dependent who is claimed under~~
12 ~~section 151 (c) of the Internal Revenue Code~~; the claimant’s grandchild; the
13 claimant’s great-grandchild; or the claimant’s niece or nephew; calculated as
14 follows:
- 15 **SECTION 1543cc.** 71.05 (6) (b) 32. a. of the statutes is amended to read:
- 16 71.05 **(6)** (b) 32. a. An amount equal to not more than \$3,000 per beneficiary,
17 by each contributor, or \$1,500 by each contributor who is married and files
18 separately. to an account for each year to which the claim relates, except that the total
19 amount for which a deduction may be claimed under this subdivision and under
20 subd. 33., per beneficiary by any claimant may not exceed \$3,000 each year, or \$1,500
21 each year by any claimant who is married and files separately. In the case of a
22 married couple ~~filing a joint return~~, the total deduction under this subdivision and
23 under subd. 33., per beneficiary by the married couple may not exceed \$3,000 each
24 year. In the case of divorced parents, the total deduction under this subdivision and

1 under subd. 33., per beneficiary by the formerly married couple, may not exceed
2 \$3,000, and the maximum amount that may be deducted by each former spouse is
3 \$1,500, unless the divorce judgment specifies a different division of the \$3,000
4 maximum that may be claimed by each former spouse.

5 **SECTION 1543ce.** 71.05 (6) (b) 33. (intro.) of the statutes is amended to read:

6 71.05 **(6)** (b) 33. (intro.) An amount paid into a college tuition and expenses
7 program, as described in s. 14.63, if the beneficiary of the account is one of the
8 following: the claimant; the claimant's child ~~and the claimant's dependent who is~~
9 ~~claimed under section 151 (c) of the Internal Revenue Code;~~ the claimant's
10 grandchild; the claimant's great-grandchild; or the claimant's niece or nephew;
11 calculated as follows:

12 **SECTION 1543cg.** 71.05 (6) (b) 33. a. of the statutes is amended to read:

13 71.05 **(6)** (b) 33. a. An amount equal to not more than \$3,000 per beneficiary,
14 by each contributor, or \$1,500 by each contributor who is married and files
15 separately, to an account for each year to which the claim relates, except that the total
16 amount for which a deduction may be claimed under this subdivision and under
17 subd. 32., per beneficiary by any claimant may not exceed \$3,000 each year, or \$1,500
18 each year by any claimant who is married and files separately. In the case of a
19 married couple ~~filing a joint return,~~ the total deduction under this subdivision and
20 under subd. 32., per beneficiary by the married couple may not exceed \$3,000 each
21 year. In the case of divorced parents, the total deduction under this subdivision and
22 under subd. 32., per beneficiary by the formerly married couple, may not exceed
23 \$3,000, and the maximum amount that may be deducted by each former spouse is
24 \$1,500, unless the divorce judgment specifies a different division of the \$3,000
25 maximum that may be claimed by each former spouse.".

1 **440.** Page 774, line 5: after that line insert:

2 “**SECTION 1543b.** 71.05 (6) (b) 9m. of the statutes is created to read:

3 71.05 **(6)** (b) 9m. On farm assets held more than one year and on all farm assets
4 acquired from a decedent, to the extent that they are not subtracted under subd. 9.
5 or 10., 60 percent of the capital gain as computed under the Internal Revenue Code,
6 not including capital gains for which the federal tax treatment is determined under
7 section 406 of P.L. 99–514; not including amounts treated as ordinary income for
8 federal income tax purposes because of the recapture of depreciation or any other
9 reason; and not including amounts treated as capital gain for federal income tax
10 purposes from the sale or exchange of a lottery prize. In this subdivision, “farm
11 assets” means livestock, farm equipment, farm real property, and farm depreciable
12 property. For purposes of this subdivision, the capital gains and capital losses for all
13 assets shall be netted before application of the percentage.”.

14 **441.** Page 780, line 18: after that line insert:

15 “**SECTION 1554d.** 71.07 (3h) (b) of the statutes is amended to read:

16 71.07 **(3h)** (b) *Filing claims.* Subject to the limitations provided in this
17 subsection, for taxable years beginning after December 31, ~~2009~~ 2011, and before
18 January 1, ~~2013~~ 2015, for a claimant who produces at least 2,500,000 gallons of
19 biodiesel fuel in this state in the taxable year, a claimant may claim as a credit
20 against the tax imposed under s. 71.02, up to the amount of the tax, an amount that
21 is equal to the number of gallons of biodiesel fuel produced by the claimant in this
22 state in the taxable year multiplied by 10 cents.”.

23 **442.** Page 782, line 2: delete “2011” and substitute “2009”.

24 **443.** Page 782, line 3: delete “s. 71.02” and substitute “ss. 71.02 and 71.08”.

1 **444.** Page 782, line 20: after that line insert:

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

5 **445.** Page 782, line 24: delete “s. 71.02” and substitute “ss. 71.02 and 71.08”.

6 **446.** Page 783, line 2: after “(bb)” insert “, except that the amounts certified
7 under this subdivision for taxable years beginning after December 31, 2009, and
8 before January 1, 2012, shall be paid in taxable years beginning after December 31,
9 2011”.

10 **447.** Page 783, line 5: after that line insert:

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

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

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

1 71.07 (3w) (bm) 2. In addition to the credits under par. (b) and ~~subd.~~ subds. 1.
2 and 3., and subject to the limitations provided in this subsection and s. 560.799, a
3 claimant may claim as a credit against the tax imposed under s. 71.02 or 71.08 an
4 amount equal to the percentage, as determined by the department of commerce
5 under s. 560.799, not to exceed 7 percent, of the claimant's zone payroll paid in the
6 taxable year to all of the claimant's full-time employees whose annual wages are
7 greater than \$20,000 in a tier I county or municipality, not including the wages paid
8 to the employees determined under par. (b) 1., or greater than \$30,000 in a tier II
9 county or municipality, not including the wages paid to the employees determined
10 under par. (b) 1., and who the claimant employed in the enterprise zone in the taxable
11 year, if the total number of such employees is equal to or greater than the total
12 number of such employees in the base year. A claimant may claim a credit under this
13 subdivision for no more than 5 consecutive taxable years.

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

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

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

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

1 **448.** Page 793, line 23: after that line insert:

2 “**SECTION 1584p.** 71.07 (9e) (g) of the statutes is created to read:

3 71.07 (**9e**) (g) 1. If an individual claims the credit under this subsection and
4 claims the federal advance earned income tax credit, the individual may request that
5 his or her employer add to his or her paycheck an advance payment amount
6 calculated under subd. 2.

7 2. The advance payment amount that an individual’s employer shall add to the
8 individual’s paycheck, as described in subd. 1., shall be equal to a percentage of the
9 amount that the individual’s employer adds to the individual’s paycheck as an
10 advance earned income tax credit payment under federal law. The percentage shall
11 be the same percentage as is specified in par. (af), based on the number of qualifying
12 children that the individual has.

13 3. An employer may deduct from the aggregate amount that the employer
14 would otherwise be required to withhold from employee wages and forward to the
15 department, under ss. 71.64 and 71.65, the total amount of any advance payments
16 the employer makes under subd. 2.

17 4. The department shall prepare any forms and instructions that may be
18 necessary to facilitate the addition of the advance payment amount calculated under
19 subd. 2. to an individual’s paycheck and any changes to the withholding procedures
20 as described under subd. 3.”.

21 **449.** Page 796, line 1: after “(3p),” insert “(3q)”.

22 **450.** Page 797, line 6: after that line insert:

23 “**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 **451.** 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 **452.** Page 798, line 9: delete lines 9 to 13.

15 **453.** Page 814, line 9: after “503,” insert “512,”.

16 **454.** Page 814, line 10: after “110–140,” insert “P.L. 110–141, P.L. 110–142,
17 P.L. 110–166,”.

18 **455.** Page 814, line 10: delete “section” and substitute “sections 811 and”.

19 **456.** Page 815, line 9: after “503,” insert “512,”.

20 **457.** Page 815, line 10: delete “section” and substitute “sections 811 and”.

21 **458.** Page 815, line 15: after “110–458,” insert “and changes that indirectly
22 affect the provisions applicable to this subchapter made by P.L. 110–458,”.

23 **459.** Page 816, line 6: after “503,” insert “512,”.

- 1 **460.** Page 816, line 7: delete “section” and substitute “sections 811 and”.
- 2 **461.** Page 817, line 8: after “503,” insert “512,”.
- 3 **462.** Page 817, line 8: delete “section” and substitute “sections 811 and”.
- 4 **463.** Page 832, line 8: after “503,” insert “512,”.
- 5 **464.** Page 832, line 8: delete “section” and substitute “sections 811 and”.
- 6 **465.** Page 832, line 9: after “110–140,” insert “P.L. 110–141, P.L. 110–142, P.L.
- 7 110–166,”.
- 8 **466.** Page 833, line 6: after “503,” insert “512,”.
- 9 **467.** Page 833, line 7: delete “section” and substitute “sections 811 and”.
- 10 **468.** Page 834, line 4: after “503,” insert “512,”.
- 11 **469.** Page 834, line 5: delete “section” and substitute “sections 811 and”.
- 12 **470.** Page 835, line 4: after “503,” insert “512,”.
- 13 **471.** Page 835, line 5: delete “section” and substitute “sections 811 and”.
- 14 **472.** 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

1 factors as provided under subs. (3), (4), and (5), and all income of all members of the
2 commonly controlled group, whether or not such income would otherwise be subject
3 to apportionment or allocable to a particular state in the absence of an election under
4 this subsection, shall be treated as apportionable income for purposes of the
5 combined report.

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

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

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

23 **473.** Page 838, line 5: after that line insert:

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

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

12 **474.** Page 838, line 20: after that line insert:

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

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

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

24 **475.** Page 839, line 24: after “under s.” insert “59.58 (7), 66.1038, or”.

1 **476.** Page 875, line 13: after “503,” insert “512,”.

2 **477.** Page 875, line 13: delete “section” and substitute “sections 811 and”.

3 **478.** Page 875, line 14: after “110–140,” insert “P.L. 110–141, P.L. 110–142,
4 P.L. 110–166,”.

5 **479.** Page 876, line 11: after “503,” insert “512,”.

6 **480.** Page 876, line 12: delete “section” and substitute “sections 811 and”.

7 **481.** Page 877, line 2: after “503,” insert “512,”.

8 **482.** Page 877, line 2: delete “section” and substitute “sections 811 and”.

9 **483.** Page 877, line 3: after “110–140,” insert “P.L. 110–141, P.L. 110–142, P.L.
10 110–166,”.

11 **484.** Page 877, line 25: after “503,” insert “512,”.

12 **485.** Page 878, line 1: delete “section” and substitute “sections 811 and”.

13 **486.** Page 878, line 20: after “503,” insert “512,”.

14 **487.** Page 878, line 20: delete “section” and substitute “sections 811 and”.

15 **488.** Page 878, line 21: after “110–140,” insert “P.L. 110–141, P.L. 110–142,
16 P.L. 110–166,”.

17 **489.** Page 879, line 18: after “503,” insert “512,”.

18 **490.** Page 879, line 19: delete “section” and substitute “sections 811 and”.

19 **491.** Page 879, line 23: after “110–458,” insert “and changes that indirectly
20 affect the provisions applicable to this subchapter made by P.L. 110–458,”.

21 **492.** Page 880, line 15: after “503,” insert “512,”.

22 **493.** Page 880, line 16: delete “section” and substitute “sections 811 and”.

- 1 **494.** Page 881, line 15: after “503,” insert “512,”.
- 2 **495.** Page 881, line 16: delete “section” and substitute “sections 811 and”.
- 3 **496.** Page 882, line 6: after “503,” insert “512,”.
- 4 **497.** Page 882, line 6: delete “section” and substitute “sections 811 and”.
- 5 **498.** Page 883, line 6: after “503,” insert “512,”.
- 6 **499.** Page 883, line 6: delete “section” and substitute “sections 811 and”.
- 7 **500.** Page 883, line 25: after “503,” insert “512,”.
- 8 **501.** Page 884, line 1: delete “section” and substitute “sections 811 and”.
- 9 **502.** Page 884, line 25: after “503,” insert “512,”.
- 10 **503.** Page 885, line 1: delete “section” and substitute “sections 811 and”.
- 11 **504.** Page 886, line 19: after that line insert:
- 12 “**SECTION 1643d.** 71.28 (3h) (b) of the statutes is amended to read:
- 13 71.28 **(3h)** (b) *Filing claims.* Subject to the limitations provided in this
- 14 subsection, for taxable years beginning after December 31, ~~2009~~ 2011, and before
- 15 January 1, ~~2013~~ 2015, for a claimant who produces at least 2,500,000 gallons of
- 16 biodiesel fuel in this state in the taxable year, a claimant may claim as a credit
- 17 against the tax imposed under s. 71.23, up to the amount of the tax, an amount that
- 18 is equal to the number of gallons of biodiesel fuel produced by the claimant in this
- 19 state in the taxable year multiplied by 10 cents.”.
- 20 **505.** Page 887, line 2: delete “2011” and substitute “2009”.
- 21 **506.** 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 **507.** 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 **508.** 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 subsd. 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 **509.** Page 916, line 10: after “503,” insert “512,”.

24 **510.** Page 916, line 10: delete “section” and substitute “sections 811 and”.

1 **511.** Page 916, line 11: after “110–140,” insert “P.L. 110–141, P.L. 110–142,
2 P.L. 110–166,”.

3 **512.** Page 917, line 9: after “503,” insert “512,”.

4 **513.** Page 917, line 10: delete “section” and substitute “sections 811 and”.

5 **514.** Page 918, line 10: after “503,” insert “512,”.

6 **515.** Page 918, line 10: delete “section” and substitute “sections 811 and”.

7 **516.** Page 919, line 11: after “503,” insert “512,”.

8 **517.** Page 919, line 11: delete “section” and substitute “sections 811 and”.

9 **518.** Page 934, line 25: after “503,” insert “512,”.

10 **519.** Page 935, line 1: after “110–140,” insert “P.L. 110–141, P.L. 110–142, P.L.
11 110–166,”.

12 **520.** Page 935, line 1: delete “section” and substitute “sections 811 and”.

13 **521.** Page 935, line 23: after “503,” insert “512,”.

14 **522.** Page 935, line 24: delete “section” and substitute “sections 811 and”.

15 **523.** Page 936, line 21: after “503,” insert “512,”.

16 **524.** Page 936, line 22: delete “section” and substitute “sections 811 and”.

17 **525.** Page 937, line 20: after “503,” insert “512,”.

18 **526.** Page 937, line 21: delete “section” and substitute “sections 811 and”.

19 **527.** Page 940, line 12: after that line insert:

20 “**SECTION 1709d.** 71.47 (3h) (b) of the statutes is amended to read:

21 71.47 **(3h)** (b) *Filing claims.* Subject to the limitations provided in this
22 subsection, for taxable years beginning after December 31, ~~2009~~ 2011, and before

1 January 1, ~~2013~~ 2015, for a claimant who produces at least 2,500,000 gallons of
2 biodiesel fuel in this state in the taxable year, a claimant may claim as a credit
3 against the tax imposed under s. 71.43, up to the amount of the tax, an amount that
4 is equal to the number of gallons of biodiesel fuel produced by the claimant in this
5 state in the taxable year multiplied by 10 cents.”.

6 **528.** Page 940, line 20: delete “2011” and substitute “2009”.

7 **529.** Page 941, line 14: after that line insert:

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

11 **530.** Page 941, line 21: after “(bb)” insert “, except that the amounts certified
12 under this subdivision for taxable years beginning after December 31, 2009, and
13 before January 1, 2012, shall be paid in taxable years beginning after December 31,
14 2011”.

15 **531.** Page 941, line 21: after that line insert:

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

18 71.47 (**3w**) (bm) 1. In addition to the credits under par. (b) and ~~subd.~~ subds. 2.
19 and 3., and subject to the limitations provided in this subsection and s. 560.799, a
20 claimant may claim as a credit against the tax imposed under s. 71.43 an amount
21 equal to a percentage, as determined by the department of commerce, not to exceed
22 100 percent, of the amount the claimant paid in the taxable year to upgrade or
23 improve the job–related skills of any of the claimant’s full–time employees, to train
24 any of the claimant’s full–time employees on the use of job–related new technologies,

1 or to provide job-related training to any full-time employee whose employment with
2 the claimant represents the employee's first full-time job. This subdivision does not
3 apply to employees who do not work in an enterprise zone.

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

6 71.47 (3w) (bm) 2. In addition to the credits under par. (b) and ~~subd.~~ subds. 1.
7 and 3., and subject to the limitations provided in this subsection and s. 560.799, a
8 claimant may claim as a credit against the tax imposed under s. 71.43 an amount
9 equal to the percentage, as determined by the department of commerce under s.
10 560.799, not to exceed 7 percent, of the claimant's zone payroll paid in the taxable
11 year to all of the claimant's full-time employees whose annual wages are greater
12 than \$20,000 in a tier I county or municipality, not including the wages paid to the
13 employees determined under par. (b) 1., or greater than \$30,000 in a tier II county
14 or municipality, not including the wages paid to the employees determined under
15 par. (b) 1., and who the claimant employed in the enterprise zone in the taxable year,
16 if the total number of such employees is equal to or greater than the total number
17 of such employees in the base year. A claimant may claim a credit under this
18 subdivision for no more than 5 consecutive taxable years.

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

20 71.47 (3w) (bm) 3. In addition to the credits under par. (b) and subds. 1. and
21 2., and subject to the limitations provided in this subsection and s. 560.799, for
22 taxable years beginning after December 31, 2008, a claimant may claim as a credit
23 against the tax imposed under s. 71.43 up to 10 percent of the claimant's significant
24 capital expenditures, as determined by the department of commerce under s.
25 560.799 (5m).

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

2 71.47 **(3w)** (c) 3. No credit may be allowed under this subsection unless the
3 claimant includes with the claimant’s return a copy of the claimant’s certification for
4 tax benefits under s. 560.799 (5) or (5m).”.

5 **532.** Page 954, line 12: after that line insert:

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

7 71.54 **(1)** (f) *2001 and thereafter.* (intro.) The Subject to sub. (2m), the amount
8 of any claim filed in 2001 and thereafter and based on property taxes accrued or rent
9 constituting property taxes accrued during the previous year is limited as follows:

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

11 71.54 **(2)** (b) 3. In Subject to sub. (2m), in calendar year 1990 or any subsequent
12 calendar year, \$1,450.”.

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

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

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

18 **536.** Page 955, line 6: delete “under”.

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

21 **538.** Page 971, line 10: after “withhold” insert “, not more frequently than on
22 a quarterly basis,”.

23 **539.** Page 971, line 12: delete lines 12 to 18.

1 **540.** Page 972, line 18: delete the material beginning with that line and
2 ending with page 973, line 10.

3 **541.** Page 982, line 22: after that line insert:

4 “(h) *Exceptions.* This subsection does not apply to a financial institution that
5 has assets of less than \$5,000,000.”.

6 **542.** Page 987, line 23: after that line insert:

7 “**SECTION 1817p.** 74.09 (3) (gd) of the statutes is created to read:

8 74.09 (3) (gd) For Milwaukee County, if it imposes a sales and use tax under
9 s. 77.70 (2), indicate the amount of the reduction in property taxes associated with
10 the requirement under s. 77.70 (2) to remove transit expenditures from the property
11 tax levy.”.

12 **543.** Page 987, line 24: delete the material beginning with that line and
13 ending with page 988, line 22.

14 **544.** Page 989, line 23: after “**REGIONAL**” insert “**SOUTHEASTERN**”.

15 **545.** Page 989, line 24: delete “**FEE;**” and substitute “**FEE**”.

16 **546.** Page 989, line 24: delete “**TRANSIT KRM**” and substitute
17 “**REGIONAL TRANSIT**”.

18 **547.** Page 989, line 25: delete that line.

19 **548.** Page 990, line 1: before that line insert:

20 “**SECTION 1829g.** 77.02 (1) of the statutes is amended to read:

21 77.02 (1) **PETITION.** The owner of an entire quarter quarter section, fractional
22 lot or government lot as determined by U.S. government survey plat, excluding
23 public roads and railroad rights-of-way that may have been sold, may file with the

1 department of natural resources a petition stating that the owner believes the lands
2 therein described are more useful for growing timber and other forest crops than for
3 any other purpose, that the owner intends to practice forestry thereon, that all
4 persons holding encumbrances thereon have joined in the petition and requesting
5 that such lands be approved as “Forest Croplands” under this subchapter. Whenever
6 any such land is encumbered by a mortgage or other indenture securing any issue
7 of bonds or notes, the trustee named in such mortgage or indenture or any
8 amendment thereto may join in such petition, and such action shall for the purpose
9 of this section be deemed the action of all holders of such bonds or notes. Land for
10 which a petition is submitted under sub. (4) is exempt from the size requirements
11 specified under this subsection.

12 **SECTION 1829j.** 77.02 (3) of the statutes is amended to read:

13 77.02 (3) DECISION, COPIES. (a) After receiving all the evidence offered at any
14 hearing held on the petition and after making such independent investigation as it
15 sees fit the department shall make its findings of fact and make and enter an order
16 accordingly. If it finds that the facts give reasonable assurance that a stand of
17 merchantable timber will be developed on such descriptions within a reasonable
18 time, and that such descriptions are then held permanently for the growing of timber
19 under sound forestry practices, rather than for agricultural, mineral, shoreland
20 development of navigable waters, recreational, residential or other purposes, and
21 that all persons holding encumbrances against such descriptions have in writing
22 agreed to the petition, the order entered shall grant the request of the petitioner on
23 condition that all unpaid taxes against said descriptions be paid within 30 days
24 thereafter; otherwise the department of natural resources shall deny the request of
25 the petitioner.

1 **(b)** If the request of ~~the~~ a petitioner is granted under par. (a) or sub. (4), a copy
2 of such order shall be filed with the department of revenue, the supervisor of
3 equalization and the clerk of each town, and the order shall be recorded with the
4 register of deeds of each county, in which any of the lands affected by the order are
5 located. The register of deeds shall record the entry, transfer or withdrawal of all
6 forest croplands in a suitable manner on the county records. The register of deeds
7 may collect recording fees under s. 59.43 (2) from the owner. ~~Any~~

8 **(c)** Except as provided in sub. (4) (b), any order of the department relating to the
9 entry of forest croplands issued on or before November 20 of any year shall take effect
10 on January 1 of the following calendar year, but all orders issued after November 20
11 shall take effect on January 1 of the calendar year following the calendar year in
12 which orders issued on or before November 20 would have been effective.

13 **SECTION 1829m.** 77.02 (4) of the statutes is created to read:

14 **77.02 (4) EXEMPTION FOR CERTAIN SMALLER PARCELS.** (a) A landowner of a parcel
15 that is less than a quarter quarter section in size may petition the department of
16 natural resources to allow the land to be entered as forest croplands under this
17 section. The department shall grant the petition and issue an order entering the land
18 as forest croplands if all of the following apply:

19 1. The landowner of the parcel is a nonprofit archery club.

20 2. The parcel of land was part of a quarter quarter section or lot that was
21 entered as forest croplands before January 1, 1968.

22 3. The parcel of land was divided from the section or lot and was sold to the
23 landowner before January 1, 2009.

24 **(b)** An order issued under par. (a) shall take effect on the date of its issuance.

25 Notwithstanding the 25–year or 50–year requirement under s. 77.03, the date for the

1 ending of a order entered under par. (a) shall be the same date as the date for the
2 ending of the order that applies to the section or lot from which the parcel was
3 divided.

4 (c) Subsections (2) and (3) (a) do not apply to a petition submitted under this
5 subsection.

6 (d) The taxes and penalties under s. 77.10 do not apply to a parcel affected by
7 an order of withdrawal if an order of entry is subsequently issued for the parcel under
8 par. (a). If an order of withdrawal is issued for such a parcel after the issuance of the
9 order for entry under par. (a), the landowner shall be liable for all withdrawal taxes
10 and penalties under s. 77.10 that would have been levied on the parcel if the parcel
11 had continuously been subject to the original order of entry issued for the entire
12 quarter quarter section or lot.

13 **SECTION 1829n.** 77.03 of the statutes is amended to read:

14 **77.03 Taxation of forest croplands.** After the filing and recording of the
15 order with the officers under s. 77.02 (3) the lands described therein shall be “Forest
16 Croplands”, on which taxes shall thereafter be payable only as provided under this
17 subchapter. The enactment of ss. 77.01 to 77.14, petition by the owner and the
18 making of the order under s. 77.02 (3) or (4) (a) shall constitute a contract between
19 the state and the owner, running with the lands, for a period of 25 or 50 years at the
20 election of the applicant at the time the petition is filed, unless withdrawn under s.
21 77.10, with privilege of renewal by mutual agreement between the owner and the
22 state, whereby the state as an inducement to owners and prospective purchasers of
23 forest croplands to come under ss. 77.01 to 77.14 agrees that, unless withdrawn
24 under s. 77.10, no change in or repeal of ss. 77.01 to 77.14 shall apply to any land then
25 accepted as forest croplands, except as the department of natural resources and the

1 owner may expressly agree in writing and except as provided in s. 77.17. If at the
2 end of the contract period the land is not designated as managed forest land under
3 subch. VI, the merchantable timber on the land shall be estimated by an estimator
4 jointly agreed upon by the department of natural resources and the owner, and if the
5 department and the owner fail to agree on an estimator, the judge of the circuit court
6 of the district in which the lands lie shall appoint a qualified forester, whose estimate
7 shall be final, and the cost thereof shall be borne jointly by the department of natural
8 resources and the owner; and the 10% severance tax paid on the stumpage thereon
9 in the same manner as if the stumpage had been cut. The owners by such contract
10 consent that the public may hunt and fish on the lands, subject to such rules as the
11 department of natural resources prescribes regulating hunting and fishing.

12 **SECTION 1829ng.** 77.04 (1) of the statutes is amended to read:

13 77.04 (1) TAX ROLL. The clerk on making up the tax roll shall enter as to each
14 forest cropland description in a special column or some other appropriate place in
15 such tax roll headed by the words "Forest Croplands" or the initials "F.C.L.", which
16 shall be a sufficient designation that such description is subject to this subchapter.
17 Such land shall thereafter be assessed and be subject to review under ch. 70, and
18 such assessment may be used by the department of revenue in the determination of
19 the tax upon withdrawal of such lands as forest croplands as provided in s. 77.10 for
20 entries prior to 1972 or for any entry under s. 77.02 (4) (a). The tax upon withdrawal
21 of descriptions entered as forest croplands after December 31, 1971, may be
22 determined by the department of revenue by multiplying the last assessed value of
23 the land prior to the time of the entry by an annual ratio computed for the state under
24 sub. (2) to establish the annual assessed value of the description. No tax shall be
25 levied on forest croplands except the specific annual taxes as provided, except that

1 any building located on forest cropland shall be assessed as personal property,
2 subject to all laws and regulations for the assessment and taxation of general
3 property.

4 **SECTION 1829nr.** 77.04 (2) of the statutes is amended to read:

5 77.04 (2) TAX PER ACRE; PAYMENT; PENALTY. The “acreage share” shall be
6 computed at the rate of 10 cents per acre on all lands entered prior to 1972 or entered
7 under s. 77.02 (4) (a). On all lands entered after December 31, 1971, the “acreage
8 share” shall be computed every 10 years to the nearest cent by the department of
9 revenue at the rate of 20 cents per acre multiplied by a ratio using the equalized value
10 of the combined residential, commercial, manufacturing, agricultural, undeveloped,
11 agricultural forest, and productive forest land classes under s. 70.32 (2) within the
12 state in 1972 as the denominator, and using equalized value for these combined land
13 classes in 1982 and every 10th year thereafter as the numerator. All owners shall
14 pay to the taxation district treasurer the acreage share on each description on or
15 before January 31. If the acreage share is not paid when due to the taxation district
16 treasurer it shall be subject to interest and penalty as provided under ss. 74.11 (11),
17 74.12 (10) and 74.47. These lands shall be returned as delinquent and a tax
18 certificate under subch. VII of ch. 74 shall be issued on them. After 2 years from the
19 date of the issuance of a tax certificate, the county clerk shall promptly take a tax
20 deed under ch. 75. On taking such deed the county clerk shall certify that fact and
21 specify the descriptions to the department of natural resources.

22 **SECTION 1829r.** 77.13 (3) of the statutes is created to read:

23 77.13 (3) Subsections (1) and (2) do not apply to any petition submitted under
24 s. 77.02 (4).”.

1 **549.** Page 992, line 24: after that line insert:

2 “**SECTION 1832b.** 77.51 (7h) (b) of the statutes, as created by 2009 Wisconsin
3 Act (this act), is repealed and recreated to read:

4 77.51 **(7h)** (b) “Manufacturing” does not include storing raw materials or
5 finished units of tangible personal property or items or property under s. 77.52 (1)
6 (b) or (c), research or development, delivery to or from the plant, or repairing or
7 maintaining plant facilities.”.

8 **550.** Page 994, line 3: delete lines 3 to 5.

9 **551.** Page 994, line 5: after that line insert:

10 “**SECTION 1835dg.** 77.51 (12m) (b) 9. of the statutes, as created by 2009
11 Wisconsin Act (this act), is repealed.

12 **SECTION 1835dr.** 77.51 (12m) (b) 10. of the statutes is created to read:

13 77.51 **(12m)** (b) 10. The surcharges imposed under s. 256.35 (3g) (a) 1. and 2.
14 a.”.

15 **552.** Page 995, line 25: delete the material beginning with that line and
16 ending with page 996, line 2.

17 **553.** Page 996, line 2: after that line insert:

18 “**SECTION 1836eg.** 77.51 (15b) (b) 9. of the statutes, as created by 2009
19 Wisconsin Act (this act), is repealed.”.

20 **SECTION 1836er.** 77.51 (15b) (b) 10. of the statutes is created to read:

21 77.51 **(15b)** (b) 10. The surcharges imposed under s. 256.35 (3g) (a) 1. and 2.
22 a.”.

23 **554.** Page 1008, line 25: after “under s.” insert “59.58 (7), 66.1038, or”.

24 **555.** Page 1010, line 11: after that line insert:

1 “**SECTION 1849w.** 77.54 (37) of the statutes, as affected by 2009 Wisconsin Act
2 2, is amended to read:

3 77.54 (37) The sales price from revenues collected under ~~s. 256.35 (3)~~ and the
4 surcharge established by rule by the public service commission under s. 256.35 (3m)
5 (f) for customers of wireless providers, as defined in s. 256.35 (3m) (a) 6.”.

6 **556.** Page 1011, line 17: after that line insert:

7 “**SECTION 1850eb.** 77.54 (55) of the statutes is created to read:

8 77.54 (55) The sales price from the police and fire protection fee imposed under
9 s. 196.025 (6).”.

10 **557.** Page 1011, line 17: after that line insert:

11 “**SECTION 1850ed.** 77.54 (56) of the statutes, as created by 2007 Wisconsin Act
12 20, is amended to read:

13 77.54 (56) (a) The Beginning July 1, 2011, the gross receipts from the sale of
14 and the storage, use, or other consumption of a product whose power source is wind
15 energy, direct radiant energy received from the sun, or gas generated from anaerobic
16 digestion of animal manure and other agricultural waste, if the product produces at
17 least 200 watts of alternating current or 600 British thermal units per day, except
18 that the exemption under this subsection does not apply to an uninterruptible power
19 source that is designed primarily for computers.

20 (b) Except for the sale of electricity or energy that is exempt from taxation
21 under sub. (30), beginning on July 1, 2011, the gross receipts from the sale of and the
22 storage, use, or other consumption of electricity or energy produced by a product
23 described under par. (a).

1 **SECTION 1850ef.** 77.54 (56) of the statutes, as affected by 2009 Wisconsin Acts
2 2 and (this act), is repealed and recreated to read:

3 77.54 **(56)** (a) Beginning July 1, 2011, the sales price from the sale of and the
4 storage, use, or other consumption of a product whose power source is wind energy,
5 direct radiant energy received from the sun, or gas generated from anaerobic
6 digestion of animal manure and other agricultural waste, if the product produces at
7 least 200 watts of alternating current or 600 British thermal units per day, except
8 that the exemption under this subsection does not apply to an uninterruptible power
9 source that is designed primarily for computers.

10 (b) Except for the sale of electricity or energy that is exempt from taxation
11 under sub. (30), beginning on July 1, 2011, the sales price from the sale of and the
12 storage, use, or other consumption of electricity or energy produced by a product
13 described under par. (a).”.

14 **558.** Page 1011, line 19: after that line insert:

15 “1d. “Animals” include bacteria, viruses, and other microorganisms.”.

16 **559.** Page 1011, line 20: delete “1.” and substitute “1f.”.

17 **560.** Page 1012, line 2: after that line insert:

18 “1m. “Biotechnology business” means a business, as certified by the
19 department in the manner prescribed by the department, that is primarily engaged
20 in the application of biotechnologies that use a living organism or parts of an
21 organism to produce or modify products to improve plants or animals, develop
22 microorganisms for specific uses, identify targets for small molecule pharmaceutical
23 development, or transform biological systems into useful processes and products.”.

24 **561.** Page 1012, line 4: delete that line.

1 **562.** Page 1012, line 19: after that line insert:

2 “3. Machines and specific processing equipment, including accessories,
3 attachments, and parts for the machines or equipment, that are used exclusively and
4 directly in raising animals that are sold primarily to a biotechnology business, a
5 public or private institution of higher education, or a governmental unit for exclusive
6 and direct use by any such entity in qualified research or manufacturing.

7 4. The items listed in sub. (3m) (a) to (m), medicines, semen for artificial
8 insemination, fuel, and electricity that are used exclusively and directly in raising
9 animals that are sold primarily to a biotechnology business, a public or private
10 institution of higher education, or a governmental unit for exclusive and direct use
11 by any such entity in qualified research or manufacturing.”.

12 **563.** Page 1020, line 10: after that line insert:

13 **SECTION 1856f.** 77.70 (4) of the statutes is created to read:

14 77.70 (4) Burnett County may adopt an ordinance to increase the rate of the
15 tax imposed under sub. (1) from 0.5 percent to 1 percent, if the majority of the electors
16 of the county approve the increase at a referendum. The county may use the
17 additional revenue from the rate increase only to pay for an upgrade to radio towers
18 in order to satisfy federal communications commission requirements to update a
19 radio frequency with a narrow bandwidth no later than December 31, 2012. An
20 ordinance adopted under this subsection shall be effective on the first day of January,
21 the first day of April, the first day of July or the first day of October. A certified copy
22 of that ordinance shall be delivered to the secretary of revenue at least 120 days prior
23 to its effective date. The repeal of any such ordinance shall be effective on December
24 31. A certified copy of a repeal ordinance shall be delivered to the secretary of

1 revenue at least 120 days before the effective date of the repeal. The tax imposed
2 under this subsection may be in effect for no more than 3 years from the date on which
3 the ordinance imposing the tax takes effect.”.

4 **564.** Page 1020, line 10: after that line insert:

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

7 77.70 (1) Any county desiring to impose county sales and use taxes under this
8 subchapter may do so by the adoption of an ordinance, stating its purpose and
9 referring to this subchapter. The rate of the tax imposed under this subsection is 0.5
10 percent of the gross receipts or sales price. The county sales and use taxes may be
11 imposed only for the purpose of directly reducing the property tax levy and only in
12 their entirety as provided in this subchapter. That ordinance shall be effective on the
13 first day of January, the first day of April, the first day of July or the first day of
14 October. A certified copy of that ordinance shall be delivered to the secretary of
15 revenue at least 120 days prior to its effective date. The repeal of any such ordinance
16 shall be effective on December 31. A certified copy of a repeal ordinance shall be
17 delivered to the secretary of revenue at least 60 days before the effective date of the
18 repeal.

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

21 77.70 (1) Any county desiring to impose county sales and use taxes under this
22 subchapter may do so by the adoption of an ordinance, stating its purpose and
23 referring to this subchapter. The rate of the tax imposed under this subsection is 0.5
24 percent of the sales price or purchase price. The county sales and use taxes may be

1 imposed only for the purpose of directly reducing the property tax levy and only in
2 their entirety as provided in this subchapter. That ordinance shall be effective on the
3 first day of January, the first day of April, the first day of July or the first day of
4 October. A certified copy of that ordinance shall be delivered to the secretary of
5 revenue at least 120 days prior to its effective date. The repeal of any such ordinance
6 shall be effective on December 31. A certified copy of a repeal ordinance shall be
7 delivered to the secretary of revenue at least 120 days before the effective date of the
8 repeal.

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

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

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

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

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

16 77.70 (3) If Milwaukee County imposes the tax under sub. (2), Milwaukee
17 County may adopt an ordinance to impose a sales and use tax under this subchapter
18 at the rate of 0.15 percent of the gross receipts or sales price. The taxes may be
19 imposed only in their entirety. Milwaukee County shall annually distribute the tax
20 revenue to the municipalities located in whole or in part in Milwaukee County, to be
21 used for police, fire, and emergency medical services, in proportion to the number of
22 sworn police officers and fire fighters employed by each municipality on July 1 of the
23 preceding calendar year. An ordinance adopted under this subsection shall be
24 effective on the first day of January, the first day of April, the first day of July or the
25 first day of October. A certified copy of that ordinance shall be delivered to the

1 secretary of revenue at least 120 days prior to its effective date. The repeal of any
2 such ordinance shall be effective on December 31. A certified copy of a repeal
3 ordinance shall be delivered to the secretary of revenue at least 120 days before the
4 effective date of the repeal.

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

7 **77.70 (3)** If Milwaukee County imposes the tax under sub. (2), Milwaukee
8 County may adopt an ordinance to impose a sales and use tax under this subchapter
9 at the rate of 0.15 percent of the sales price or purchase price. The taxes may be
10 imposed only in their entirety. Milwaukee County shall annually distribute the tax
11 revenue to the municipalities located in whole or in part in Milwaukee County, to be
12 used for police, fire, and emergency medical services, in proportion to the number of
13 sworn police officers and fire fighters employed by each municipality on July 1 of the
14 preceding calendar year. An ordinance adopted under this subsection shall be
15 effective on the first day of January, the first day of April, the first day of July or the
16 first day of October. A certified copy of that ordinance shall be delivered to the
17 secretary of revenue at least 120 days prior to its effective date. The repeal of any
18 such ordinance shall be effective on December 31. A certified copy of a repeal
19 ordinance shall be delivered to the secretary of revenue at least 120 days before the
20 effective date of the repeal.”.

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

23 **566.** Page 1022, line 18: delete “rate of 0.5%” and substitute “~~rate of 0.5%~~
24 rates under s. 77.70”.

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

3 **568.** Page 1023, line 16: delete “rate of 0.5%” and substitute “~~rate of 0.5%~~
4 rates under s. 77.70”.

5 **569.** Page 1024, line 7: delete “rate of 0.5 percent” and substitute “rates under
6 s. 77.70”.

7 **570.** Page 1025, line 1: delete “rate of 0.5%” and substitute “~~rate of 0.5%~~ rates
8 under s. 77.70”.

9 **571.** Page 1025, line 15: delete “rate of 0.5 percent” and substitute “rates
10 under s. 77.70”.

11 **572.** Page 1026, line 2: delete “rate of 0.5 percent” and substitute “~~rate of 0.5~~
12 percent rates under s. 77.70”.

13 **573.** Page 1026, line 16: delete “rate of 0.5 percent” and substitute “rates
14 under s. 77.70”.

15 **574.** Page 1036, line 19: delete “~~REGIONAL TRANSIT~~ KRM” and substitute
16 “SOUTHEASTERN REGIONAL TRANSIT”.

17 **575.** Page 1036, line 23: delete “~~A regional transit~~ The KRM” and substitute
18 “~~A~~ The southeastern regional transit”.

19 **576.** Page 1036, line 24: delete “~~§16~~” and substitute “§18”.

20 **577.** Page 1037, line 7: delete the material beginning with “~~regional~~” and
21 ending with “KRM” on line 8 and substitute “southeastern regional transit”.

22 **578.** Page 1037, line 13: on lines 13 and 20, delete “KRM” and substitute
23 “southeastern regional transit”.

- 1 **579.** Page 1038, line 1: on lines 1, 8, 9, 17 and 18, delete “KRM” and substitute
2 “southeastern regional transit”.
- 3 **580.** Page 1038, line 22: delete the material beginning with that line and
4 ending with page 1042, line 10.
- 5 **581.** Page 1044, line 2: delete that line and substitute “appropriation
6 accounts under s. 20.835 (1) (q) and (r) in an amount determined under sub. (2).”.
- 7 **582.** Page 1046, line 22: delete “and (q)” and substitute “, (q), and (r)”.
- 8 **583.** Page 1047, line 16: delete “zero” and substitute “3 percent”.
- 9 **584.** Page 1048, line 8: after “revenue” insert “ to include only emergency
10 services funded from payments received under ss. 79.035 and 79.043”.
- 11 **585.** Page 1048, line 10: after “expenses” insert “and capital expenditures”.
- 12 **586.** Page 1048, line 12: after “expenses” insert “and capital expenditures”.
- 13 **587.** Page 1048, line 16: after “services” insert “and to ensure that excluding
14 one-time expenses and capital expenditures as provided in sub. (1) does not
15 compromise the level of service for providing emergency services”.
- 16 **588.** Page 1053, line 1: after “2010” insert “, and \$150,000,000 in 2011”.
- 17 **589.** Page 1053, line 1: delete “and \$130,000,000” and substitute “,
18 \$145,000,000”.
- 19 **590.** Page 1053, line 3: delete lines 3 to 9.
- 20 **591.** Page 1053, line 14: after “than” insert “65 percent of”.
- 21 **592.** Page 1053, line 19: after that line insert:
22 “**SECTION 1918pb.** 84.01 (35) of the statutes is created to read:

1 **84.01 (35) (a)** In this subsection:

2 1. “Bikeway” has the meaning given in s. 84.60 (1) (a).

3 2. “Pedestrian way” has the meaning given in s. 346.02 (8) (a).

4 (b) Except as provided in par. (c), and notwithstanding any other provision of
5 this chapter or ch. 82, 83, or 85, the department shall ensure that bikeways and
6 pedestrian ways are established in all new highway construction and reconstruction
7 projects funded in whole or in part from state funds or federal funds appropriated
8 under s. 20.395 or 20.866.

9 (c) The department shall promulgate rules identifying exceptions to the
10 requirement under par. (b), but these rules may provide for an exception only if any
11 of the following apply:

12 1. Bicyclists or pedestrians are prohibited by law from using the highway that
13 is the subject of the project.

14 2. The cost of establishing bikeways or pedestrian ways would be excessively
15 disproportionate to the need or probable use of the bikeways or pedestrian ways. For
16 purposes of this subdivision, cost is excessively disproportionate if it exceeds 20
17 percent of the total project cost. The rules may not allow an exception under this
18 subdivision to be applied unless the secretary of transportation, or a designee of the
19 secretary who has knowledge of the purpose and value of bicycle and pedestrian
20 accommodations, reviews the applicability of the exception under this subdivision to
21 the particular project at issue.

22 3. Establishing bikeways or pedestrian ways would have excessive negative
23 impacts in a constrained environment.

24 4. There is an absence of need for the bikeways or pedestrian ways, as indicated
25 by sparsity of population, traffic volume, or other factors.

1 5. The community where pedestrian ways are to be located refuses to accept an
2 agreement to maintain them.”.

3 **593.** Page 1053, line 19: after that line insert:

4 “**SECTION 1918gq.** 84.01 (34) of the statutes is created to read:

5 **84.01 (34)** FARMLAND PRESERVATION EXEMPTION. Chapter 91 and ordinances
6 adopted, rules promulgated, and agreements entered into under that chapter apply
7 to the department only with respect to buildings, structures, and facilities to be used
8 for administrative or operating functions, including buildings, land, and equipment
9 to be used for the motor vehicle emission inspection and maintenance program under
10 s. 110.20.”.

11 **594.** Page 1054, line 24: after that line insert:

12 “**SECTION 1918L.** 84.013 (3m) (i) of the statutes is created to read:

13 **84.013 (3m) (i)** In conjunction with the resurfacing project on STH 102, the
14 department shall construct a bicycle and pedestrian path and bridge, including
15 lighting, along STH 102 from State Road to Fayette Avenue in the village of Rib Lake
16 in Taylor County if the village contributes at least \$60,000 to the cost of the bicycle
17 and pedestrian path project.”.

18 **595.** Page 1055, line 7: after that line insert:

19 “**SECTION 1919g.** 84.016 of the statutes is created to read:

20 **84.016 Major interstate bridge projects. (1)** In this section, “major
21 interstate bridge project” means a project involving the construction or
22 reconstruction of a bridge on the state trunk highway system, including approaches,
23 that crosses a river forming a boundary of the state and for which this state’s
24 estimated cost share is at least \$100,000,000.

1 **(2)** Notwithstanding ss. 84.013, 84.51, 84.52, 84.53, 84.555, and 84.95, but
2 subject to sub. (3) and s. 86.255, this state’s share of costs for any major interstate
3 bridge project, including preliminary design work for the project, may be funded only
4 from the appropriations under ss. 20.395 (3) (dq), (dv), and (dx) and 20.866 (2) (ugm).

5 **(3)** The department may not encumber or expend any funds from the
6 appropriation under s. 20.866 (2) (ugm) for any major interstate bridge project unless
7 this state receives federal funds that are designated by the federal government
8 specifically for a major interstate bridge project covering at least \$75,000,000 of the
9 state’s share of the cost of the project.”.

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

12 **597.** Page 1061, line 13: after that line insert:

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

14 85.022 **(2)** (c) If the department considers a high–speed rail route between the
15 cities of Milwaukee and Madison, the department shall include in its consideration
16 a study of the feasibility of including a stop in the city of Waterloo in Jefferson
17 County.”.

18 **598.** Page 1062, line 6: after “is” insert “renumbered 85.026 (2) (a) and”.

19 **599.** Page 1062, line 7: before “The” insert “(a)”.

20 **600.** Page 1062, line 13: delete “bicycles” and substitute “bicycle”.

21 **601.** Page 1062, line 14: after that line insert:

22 “**SECTION 1928k.** 85.026 (2) (b) of the statutes is created to read:

23 85.026 **(2)** (b) The department shall allocate at least 70 percent of funds
24 available from the appropriation under s. 20.395 (2) (nx) for grants awarded for

1 transportation enhancement activities involving bicycle and pedestrian facilities
2 eligible for assistance under s. 85.024 (2).”.

3 **602.** Page 1063, line 7: delete “KRM” and substitute “southeastern regional
4 transit”.

5 **603.** Page 1063, line 17: after that line insert:

6 “(am) The project is for the installation or maintenance of warning devices at
7 railroad highway crossings.”.

8 **604.** Page 1064, line 6: delete the material beginning with “transit” and
9 ending with “(a)” on line 7 and substitute “Milwaukee Transit Authority under s.
10 66.1038”.

11 **605.** Page 1064, line 7: delete “KRM” and substitute “southeastern regional
12 transit”.

13 **606.** Page 1096, line 16: delete “A farmland” and substitute “Except as
14 provided in s. 84.01 (34), a farmland”.

15 **607.** Page 1097, line 9: delete “A farmland” and substitute “Except as
16 provided in s. 84.01 (34), a farmland”.

17 **608.** Page 1120, line 22: delete the material beginning with that line and
18 ending with page 1121, line 18.

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

22 **610.** Page 1166, line 11: after that line insert:

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

1 **103.457 Listing deductions from wages.** An employer shall state clearly
2 on the employee’s pay check, pay envelope, or paper accompanying the wage
3 payment the amount of and reason for each deduction from the wages due or earned
4 by the employee, except such miscellaneous deductions as may have been authorized
5 by request of the individual employee for reasons personal to the employee. A
6 reasonable coding system may be used by the employer. If the department finds that
7 an employer has failed to state that information clearly as required under this
8 section, the department may order the employer to pay the employee, as liquidated
9 damages, not less than \$50 nor more than \$500 for each violation.”.

10 **611.** Page 1166, line 11: after that line insert:

11 “**SECTION 2186t.** 103.49 (1) (a) of the statutes is amended to read:

12 103.49 (1) (a) “Area” means the county in which a proposed project of public
13 works that is subject to this section is located or, if the department determines that
14 there is insufficient wage data in that county, “area” means those counties that are
15 contiguous to that county or, if the department determines that there is insufficient
16 wage data in those counties, “area” means those counties that are contiguous to those
17 counties or, if the department determines that there is insufficient wage data in those
18 counties, “area” means the entire state or, if the department is requested to review
19 a determination under sub. (3) (c), “area” means the city, village, or town in which
20 a proposed project of public works that is subject to this section is located.

21 **SECTION 2186v.** 103.49 (1) (bg) of the statutes is amended to read:

22 103.49 (1) (bg) “Insufficient wage data” means less than 500 hours of work
23 performed in a particular trade or occupation on projects that are similar to a
24 proposed project of public works that is subject to this section.

1 **SECTION 2186x.** 103.49 (1) (bj) of the statutes is created to read:

2 103.49 (1) (bj) “Minor service and maintenance work” means a project of public
3 works that is limited to minor crack filling, chip or slurry sealing, or other minor
4 pavement patching, not including overlays, that has a projected life span of no longer
5 than 5 years cleaning of drainage or sewer ditches or structures; or any other limited,
6 minor work on public facilities or equipment that is routinely performed to prevent
7 breakdown or deterioration.”.

8 **612.** Page 1166, line 11: after that line insert:

9 **“SECTION 2186t.** 103.49 (1) (am) of the statutes is created to read:

10 103.49 (1) (am) “Bona fide economic benefit” means an economic benefit for
11 which an employer makes irrevocable contributions to a trust or fund created under
12 29 USC 186 (c) or to any other bona fide plan, trust, program, or fund no less often
13 than quarterly or, if an employer makes annual contributions to such a bona fide
14 plan, trust, program, or fund, for which the employer irrevocably escrows moneys at
15 least quarterly based on the employer’s expected annual contribution.”.

16 **613.** Page 1166, line 12: after that line insert:

17 **“SECTION 2187f.** 103.49 (1) (d) 1. of the statutes is amended to read:

18 103.49 (1) (d) 1. Except as provided in subd. 2., “prevailing wage rate” for any
19 trade or occupation engaged in the erection, construction, remodeling, repairing or
20 demolition, or improvement of any project of public works in any area means the
21 hourly basic rate of pay, plus the hourly contribution for health insurance benefits,
22 vacation benefits, pension benefits, and any other bona fide economic benefit, paid
23 directly or indirectly for a majority of the hours worked in the trade or occupation on
24 projects in the area.

1 **SECTION 2187h.** 103.49 (1) (d) 2. of the statutes is amended to read:

2 103.49 (1) (d) 2. If there is no rate at which a majority of the hours worked in
3 the trade or occupation on projects in the area is paid, “prevailing wage rate” for any
4 trade or occupation engaged in the erection, construction, remodeling, repairing or,
5 demolition, or improvement of any project of public works in any area means the
6 average hourly basic rate of pay, weighted by the number of hours worked, plus the
7 average hourly contribution, weighted by the number of hours worked, for health
8 insurance benefits, vacation benefits, pension benefits, and any other bona fide
9 economic benefit, paid directly or indirectly for all hours worked at the hourly basic
10 rate of pay of the highest-paid 51% of hours worked in that trade or occupation on
11 projects in that area.

12 **SECTION 2187j.** 103.49 (1) (dm) of the statutes is created to read:

13 103.49 (1) (dm) “Project of public works” means a project involving the erection,
14 construction, repair, remodeling, demolition, or improvement, including any
15 alteration, painting, decorating, or grading, of a public facility, including land, a
16 building, or other infrastructure.”.

17 **614.** Page 1166, line 13: after that line insert:

18 **SECTION 2188e.** 103.49 (1) (f) of the statutes is amended to read:

19 103.49 (1) (f) “State agency” means any office, department, independent
20 agency, institution of higher education, association, society or other body in state
21 government created or authorized to be created by the constitution or any law,
22 including the legislature and the courts. “State agency” also includes a state public
23 body and corporate created by constitution, statute, rule, or order, including

1 specifically the University of Wisconsin Hospitals and Clinics Authority, the Fox
2 River Navigational System Authority, and the Wisconsin Aerospace Authority.

3 **SECTION 2188f.** 103.49 (1) (fm) of the statutes is created to read:

4 103.49 (1) (fm) “Supply and installation contract” means a contract under
5 which the material is installed by the supplier, the material is installed by means of
6 simple fasteners or connectors such as screws or nuts and bolts and no other work
7 is performed on the site of the project of public works, and the total labor cost to
8 install the material does not exceed 20 percent of the total cost of the contract.”.

9 **615.** Page 1166, line 16: delete “remodeled, repaired, or demolished” and
10 substitute “repaired, remodeled, demolished, or improved”.

11 **616.** Page 1166, line 18: after that line insert:

12 “(a) A project erected, constructed, repaired, remodeled, demolished, or
13 improved by one state agency for another state agency under any contract or under
14 any statute specifically authorizing cooperation between state agencies.”.

15 **617.** Page 1166, line 19: delete that line and substitute:

16 “(b) A project in which the completed facility is leased,”.

17 **618.** Page 1166, line 21: delete “construction of the building” and substitute
18 “erection, construction, repair, remodeling, demolition, or improvement of the
19 facility”.

20 **619.** Page 1166, line 22: delete “(b) A road, street, sanitary sewer,” and
21 substitute:

22 “(c) A “sanitary sewer”.

1 **620.** Page 1166, line 23: delete that line and substitute “sanitary sewer or
2 water main is acquired by, or dedicated to, the state for ownership or maintenance
3 by”.

4 **621.** Page 1167, line 2: delete “or demolition” and substitute “demolition, or
5 improvement”.

6 **622.** Page 1167, line 15: after “a project” insert “of public works”.

7 **623.** Page 1167, line 23: after that line insert:

8 “**SECTION 2188k.** 103.49 (2m) (a) 1. of the statutes is amended to read:

9 103.49 **(2m)** (a) 1. All laborers, workers, mechanics, and truck drivers
10 employed on the site of a project of public works that is subject to this section.

11 **SECTION 2188m.** 103.49 (2m) (a) 2. of the statutes is amended to read:

12 103.49 **(2m)** (a) 2. All laborers, workers, mechanics, and truck drivers
13 employed in the manufacturing or furnishing of materials, articles, supplies, or
14 equipment on the site of a project of public works that is subject to this section or from
15 a facility dedicated exclusively, or nearly so, to a project of public works that is subject
16 to this section by a contractor, subcontractor, agent, or other person performing any
17 work on the site of the project.

18 **SECTION 2188p.** 103.49 (2m) (b) 1. of the statutes is amended to read:

19 103.49 **(2m)** (b) 1. The laborer, worker, mechanic, or truck driver is employed
20 to go to the source of mineral aggregate such as sand, gravel, or stone that is to be
21 immediately incorporated into the work, and not stockpiled or further transported
22 by truck, pick up that mineral aggregate, and deliver that mineral aggregate to the
23 site of a project of public works that is subject to this section by depositing the

1 material substantially in place, directly or through spreaders from the transporting
2 vehicle.

3 **SECTION 2188r.** 103.49 (2m) (b) 2. of the statutes is amended to read:

4 103.49 **(2m)** (b) 2. The laborer, worker, mechanic, or truck driver is employed
5 to go to the site of a project that is subject to this section, pick up excavated material
6 or spoil from the site of the project of public works and transport that excavated
7 material or spoil away from the site of the project.”.

8 **624.** Page 1167, line 24: delete the material beginning with that line and
9 ending with page 1168, line 21.

10 **625.** Page 1168, line 21: after that line insert:

11 “**SECTION 2188v.** 103.49 (3) (am) of the statutes is amended to read:

12 103.49 **(3)** (am) The department shall, by January 1 of each year, compile the
13 prevailing wage rates for each trade or occupation in each area. The compilation
14 shall, in addition to the current prevailing wage rates, include future prevailing
15 wage rates when those prevailing wage rates can be determined for any trade or
16 occupation in any area and shall specify the effective date of those future prevailing
17 wage rates. If a ~~construction~~ project of public works extends into more than one area
18 there shall be but one standard of prevailing wage rates for the entire project.”.

19 **626.** Page 1169, line 3: after that line insert:

20 “**SECTION 2189v.** 103.49 (3) (c) of the statutes is amended to read:

21 103.49 **(3)** (c) In addition to the recalculation under par. (b), the state agency
22 that requested the determination under this subsection may request a review of any
23 portion of a determination within 30 days after the date of issuance of the
24 determination if the state agency submits evidence with the request showing that

1 the prevailing wage rate for any given trade or occupation included in the
2 determination does not represent the prevailing wage rate for that trade or
3 occupation in the city, village, or town in which the proposed project of public works
4 is located. That evidence shall include wage rate information for the contested trade
5 or occupation on at least 3 similar projects located in the city, village, or town where
6 the proposed project of public works is located on which some work has been
7 performed during the current survey period and which were considered by the
8 department in issuing its most recent compilation under par. (am). The department
9 shall affirm or modify the determination within 15 days after the date on which the
10 department receives the request for review.”.

11 **627.** Page 1169, line 16: delete lines 16 and 17 and substitute:

12 “**SECTION 2190j.** 103.49 (3g) (c) of the statutes is created to read:

13 103.49 **(3g)** (c) Minor service or maintenance work, warranty work, or work
14 under a supply and installation contract.

15 **SECTION 2190n.** 103.49 (4r) (b) of the statutes is amended to read:

16 103.49 **(4r)** (b) Upon completion of a project of public works and before
17 receiving final payment for his or her work on the project, each agent or
18 subcontractor shall furnish the contractor with an affidavit stating that the agent
19 or subcontractor has complied fully with the requirements of this section. A
20 contractor may not authorize final payment until the affidavit is filed in proper form
21 and order.

22 **SECTION 2190p.** 103.49 (4r) (c) of the statutes is amended to read:

23 103.49 **(4r)** (c) Upon completion of a project of public works and before receiving
24 final payment for his or her work on the project, each contractor shall file with the

1 state agency authorizing the work an affidavit stating that the contractor has
2 complied fully with the requirements of this section and that the contractor has
3 received an affidavit under par. (b) from each of the contractor's agents and
4 subcontractors. A state agency may not authorize a final payment until the affidavit
5 is filed in proper form and order. If a state agency authorizes a final payment before
6 an affidavit is filed in proper form and order or if the department determines, based
7 on the greater weight of the credible evidence, that any person performing the work
8 specified in sub. (2m) has been or may have been paid less than the prevailing wage
9 rate or less than 1.5 times the hourly basic rate of pay for all hours worked in excess
10 of the prevailing hours of labor and requests that the state agency withhold all or part
11 of the final payment, but the state agency fails to do so, the state agency is liable for
12 all back wages payable up to the amount of the final payment.

13 **SECTION 2191d.** 103.49 (5) (a) of the statutes is amended to read:

14 103.49 (5) (a) Each contractor, subcontractor, or contractor's or subcontractor's
15 agent performing work on a project of public works that is subject to this section shall
16 keep full and accurate records clearly indicating the name and trade or occupation
17 of every person performing the work described in sub. (2m) and an accurate record
18 of the number of hours worked by each of those persons and the actual wages paid
19 for the hours worked.”.

20 **628.** Page 1169, line 25: delete the material beginning with that line and
21 ending with page 1170, line 1, and substitute “apply to a contractor, subcontractor,
22 or agent if all persons employed by the contractor, subcontractor, or agent who are
23 performing the work described in sub. (2m) are covered under a collective bargaining

1 agreement and the wage rates for those persons under the collective bargaining
2 agreement are not less than the prevailing wage rate. In that case, the contractor,”.

3 **629.** Page 1170, line 3: delete “the collective bargaining agreement” and
4 substitute “all collective bargaining agreements that are pertinent to the project of
5 public works”.

6 **630.** Page 1170, line 13: after that line insert:

7 “**SECTION 2191h.** 103.49 (5) (b) of the statutes is amended to read:

8 103.49 (5) (b) It shall be the duty of the department to enforce this section. To
9 this end it may demand and examine, and every contractor, subcontractor, and
10 contractor’s and subcontractor’s agent shall keep, and furnish upon request by the
11 department, copies of payrolls and other records and information relating to the
12 wages paid to persons performing the work described in sub. (2m) for work to which
13 this section applies. The department may inspect records in the manner provided
14 in this chapter. Every contractor, subcontractor, or agent performing work on a
15 project of public works that is subject to this section is subject to the requirements
16 of this chapter relating to the examination of records. Section 111.322 (2m) applies
17 to discharge and other discriminatory acts arising in connection with any proceeding
18 under this section.”.

19 **631.** Page 1170, line 17: after “project” insert “of public works”.

20 **632.** Page 1171, line 8: after that line insert:

21 “**SECTION 2192e.** 103.49 (6m) (a) of the statutes is renumbered 103.49 (6m)
22 (am).

23 **SECTION 2192f.** 103.49 (6m) (ag) of the statutes is created to read:

1 103.49 **(6m)** (ag) 1. Any contractor, subcontractor, or contractor's or
2 subcontractor's agent who fails to pay the prevailing wage rate determined by the
3 department under sub. (3) or who pays less than 1.5 times the hourly basic rate of
4 pay for all hours worked in excess of the prevailing hours of labor is liable to any
5 affected employee in the amount of his or her unpaid wages or his or her unpaid
6 overtime compensation and in an additional amount as liquidated damages as
7 provided in subd. 2., 3., or 4., whichever is applicable.

8 2. If the department determines upon inspection under sub. (5) (b) or (c) that
9 a contractor, subcontractor, or contractor's or subcontractor's agent has failed to pay
10 the prevailing wage rate determined by the department under sub. (3) or has paid
11 less than 1.5 times the hourly basic rate of pay for all hours worked in excess of the
12 prevailing hours of labor, the department shall order the contractor to pay to any
13 affected employee the amount of his or her unpaid wages or his or her unpaid
14 overtime compensation and an additional amount equal to 100 percent of the amount
15 of those unpaid wages or that unpaid overtime compensation as liquidated damages
16 within a period specified by the department in the order.

17 3. In addition to or in lieu of recovering the liability specified in subd. 1. as
18 provided in subd. 2., any employee for and in behalf of that employee and other
19 employees similarly situated may commence an action to recover that liability in any
20 court of competent jurisdiction. In an action that is commenced before the end of any
21 period specified by the department under subd. 2., if the court finds that a contractor,
22 subcontractor, or contractor's or subcontractor's agent has failed to pay the
23 prevailing wage rate determined by the department under sub. (3) or has paid less
24 than 1.5 times the hourly basic rate of pay for all hours worked in excess of the
25 prevailing hours of labor, the court shall order the contractor, subcontractor, or agent

1 to pay to any affected employee the amount of his or her unpaid wages or his or her
2 unpaid overtime compensation and an additional amount equal to 100 percent of the
3 amount of those unpaid wages or that unpaid overtime compensation as liquidated
4 damages.

5 4. In an action that is commenced after the end of any period specified by the
6 department under subd. 2., if the court finds that a contractor, subcontractor, or
7 contractor's or subcontractor's agent has failed to pay the prevailing wage rate
8 determined by the department under sub. (3) or has paid less than 1.5 times the
9 hourly basic rate of pay for all hours worked in excess of the prevailing hours of labor,
10 the court shall order the contractor, subcontractor, or agent to pay to any affected
11 employee the amount of his or her unpaid wages or his or her unpaid overtime
12 compensation and an additional amount equal to 200 percent of the amount of those
13 unpaid wages or that unpaid overtime compensation as liquidated damages.

14 5. No employee may be a party plaintiff to an action under subd. 3. or 4. unless
15 the employee consents in writing to become a party and the consent is filed in the
16 court in which the action is brought. Notwithstanding s. 814.04 (1), the court shall,
17 in addition to any judgment awarded to the plaintiff, allow reasonable attorney fees
18 and costs to be paid by the defendant.”.

19 **633.** Page 1171, line 8: after that line insert:

20 “**SECTION 2192p.** 103.49 (6m) (b) of the statutes is amended to read:

21 103.49 (6m) (b) Whoever induces any person who seeks to be or is employed on
22 any project of public works that is subject to this section to give up, waive, or return
23 any part of the wages to which the person is entitled under the contract governing
24 the project, or who reduces the hourly basic rate of pay normally paid to a person for

1 work on a project that is not subject to this section during a week in which the person
2 works both on a project of public works that is subject to this section and on a project
3 that is not subject to this section, by threat not to employ, by threat of dismissal from
4 employment, or by any other means is guilty of an offense under s. 946.15 (1).

5 **SECTION 2192r.** 103.49 (6m) (c) of the statutes is amended to read:

6 103.49 **(6m)** (c) Any person employed on a project of public works that is subject
7 to this section who knowingly permits a contractor, subcontractor, or contractor's or
8 subcontractor's agent to pay him or her less than the prevailing wage rate set forth
9 in the contract governing the project, who gives up, waives, or returns any part of the
10 compensation to which he or she is entitled under the contract, or who gives up,
11 waives, or returns any part of the compensation to which he or she is normally
12 entitled for work on a project that is not subject to this section during a week in which
13 the person works both on a project of public works that is subject to this section and
14 on a project that is not subject to this section, is guilty of an offense under s. 946.15
15 (2).”.

16 **634.** Page 1171, line 11: after “project” insert “of public works”.

17 **635.** Page 1171, line 17: after “project” insert “of public works”.

18 **636.** Page 1171, line 22: after that line insert:

19 “**SECTION 2194g.** 103.49 (6m) (f) of the statutes is amended to read:

20 103.49 **(6m)** (f) Paragraph (a) (am) does not apply to any person who fails to
21 provide any information to the department to assist the department in determining
22 prevailing wage rates under sub. (3) (a) or (am).”.

23 **637.** Page 1171, line 22: after that line insert:

24 “**SECTION 2194j.** 103.49 (7) (d) of the statutes is amended to read:

1 103.49 (7) (d) Any person submitting a bid on a project of public works that is
2 subject to this section shall, on the date the person submits the bid, identify any
3 construction business in which the person, or a shareholder, officer, or partner of the
4 person, if the person is a business, owns, or has owned at least a 25% interest on the
5 date the person submits the bid or at any other time within 3 years preceding the date
6 the person submits the bid, if the business has been found to have failed to pay the
7 prevailing wage rate determined under sub. (3) or to have paid less than 1.5 times
8 the hourly basic rate of pay for all hours worked in excess of the prevailing hours of
9 labor.”.

10 **638.** Page 1174, line 25: after “provides” insert “direct”.

11 **639.** Page 1175, line 6: delete lines 6 and 7.

12 **640.** Page 1175, line 11: delete lines 11 and 12.

13 **641.** Page 1175, line 16: delete the material beginning with that line and
14 ending with page 1180, line 3, and substitute:

15 “(2) APPRENTICESHIP REPORTS. (a) By no later than 15 days after the end of a
16 month in which an employer performs work on a project, the employer shall submit
17 to the department in an electronic format a report of the daily number of employees
18 employed by the employer on the project in trades that are apprenticeable under this
19 subchapter, the daily number of apprentices employed on the project, the race, sex,
20 and average age of those apprentices, and the daily number of hours worked by those
21 apprentices. The department shall post on its Internet site a running summary of
22 those reports summarizing for each month the total number of employees employed
23 on projects in this state in trades that are apprenticeable under this subchapter, the

1 total number of apprentices employed on those projects, the race, sex, and average
2 age of those apprentices, and the total number of hours worked by those apprentices.

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

11 (3) WAIVER. If the department grants an exception or modification to any
12 requirement in any contract for the performance of work on a project relating to the
13 employment and training of apprentices, the department shall post that information
14 on its Internet site, together with a detailed explanation of why the exception or
15 modification was granted.

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

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. (2) (b), 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. (2) (b).

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

17 **642.** 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 **643.** 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 **644.** Page 1189, line 22: delete lines 22 to 25 and substitute:

8 **“SECTION 2225.** 111.70 (1) (ne) of the statutes is amended to read:

9 111.70 (1) (ne) “School district professional employee” means a municipal
10 employee who is a professional employee and who is employed to perform services
11 for a school district.

12 **SECTION 2225f.** 111.70 (3) (a) 4. of the statutes is amended to read:

13 111.70 (3) (a) 4. To refuse to bargain collectively with a representative of a
14 majority of its employees in an appropriate collective bargaining unit. Such refusal
15 shall include action by the employer to issue or seek to obtain contracts, including
16 those provided for by statute, with individuals in the collective bargaining unit while
17 collective bargaining, mediation or fact-finding concerning the terms and conditions
18 of a new collective bargaining agreement is in progress, unless such individual
19 contracts contain express language providing that the contract is subject to
20 amendment by a subsequent collective bargaining agreement. Where the employer
21 has a good faith doubt as to whether a labor organization claiming the support of a
22 majority of its employees in an appropriate bargaining unit does in fact have that
23 support, it may file with the commission a petition requesting an election to that
24 claim. An employer shall not be deemed to have refused to bargain until an election

1 has been held and the results thereof certified to the employer by the commission.
2 The violation shall include, though not be limited thereby, to the refusal to execute
3 a collective bargaining agreement previously agreed upon. The term of any collective
4 bargaining agreement covering municipal employees who are not school district
5 employees shall not exceed 3 years, and the term of any collective bargaining
6 agreement covering school district employees shall not exceed 4 years.”.

7 **645.** Page 1190, line 20: delete the material beginning with that line and
8 ending with page 1192, line 18, and substitute:

9 “**SECTION 2227.** 111.70 (4) (cm) 5s. of the statutes is repealed.”.

10 **646.** Page 1198, line 14: delete lines 14 to 18.

11 **647.** Page 1199, line 1: delete lines 1 to 24 and substitute:

12 “**SECTION 2242s.** 111.81 (17m) of the statutes is created to read:

13 111.81 (17m) “Research assistant” means a graduate student enrolled in the
14 University of Wisconsin System who is receiving a stipend to conduct research that
15 is primarily for the benefit of the student’s own learning and research and which is
16 independent or self-directed, but does not include students provided fellowships,
17 scholarships, or traineeships which are distributed through other titles such as
18 advanced opportunity fellow, fellow, scholar, or trainee, and does not include
19 students with either an F-1 or a J-1 visa issued by the federal department of state.”.

20 **648.** Page 1201, line 10: delete lines 10 to 19 and substitute:

21 “**SECTION 2243d.** 111.825 (2) (g) of the statutes is created to read:

22 111.825 (2) (g) Research assistants of the University of Wisconsin–Madison
23 and University of Wisconsin–Extension.

24 **SECTION 2243p.** 111.825 (2) (h) of the statutes is created to read:

1 111.825 (2) (h) Research assistants of the University of Wisconsin–Milwaukee.

2 **SECTION 2243t.** 111.825 (2) (i) of the statutes is created to read:

3 111.825 (2) (i) Research assistants of the Universities of Wisconsin–Eau Claire,
4 Green Bay, La Crosse, Oshkosh, Parkside, Platteville, River Falls, Stevens Point,
5 Stout, Superior, and Whitewater.”.

6 **649.** Page 1205, line 7: delete “632.895 (14m)” and substitute “632.885”.

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

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

10 **652.** Page 1206, line 22: after that line insert:

11 “**SECTION 2254L.** 111.935 of the statutes is created to read:

12 **111.935 Representatives and elections for research assistants. (1)** In
13 this section, “authorization card” means a signed card that employees complete to
14 indicate their preferences regarding collective bargaining.

15 **(2)** Notwithstanding s. 111.83 (2), the commission shall establish a procedure
16 whereby research assistants may determine whether to form themselves into
17 collective bargaining units under s. 111.825 (2) (g), (h), or (i) by authorization cards
18 in lieu of secret ballot. The procedure shall provide that once a majority of research
19 assistants have indicated their preference on the authorization cards to form
20 themselves into a collective bargaining unit, the collective bargaining unit is
21 established.

22 **(3)** Notwithstanding ss. 111.825 (4) and 111.83 (3), all of the following shall
23 apply:

1 (a) The initial representative of the employees in the collective bargaining unit
2 under s. 111.825 (2) (g) is the representative of the employees in the collective
3 bargaining unit under s. 111.825 (2) (a).

4 (b) The initial representative of the employees in the collective bargaining unit
5 under s. 111.825 (2) (h) is the representative of the employees in the collective
6 bargaining unit under s. 111.825 (2) (b).

7 (c) The initial representative of the employees in the collective bargaining unit
8 under s. 111.825 (2) (i) is either the representative of the employees in the collective
9 bargaining unit under s. 111.825 (2) (a) or the representative of the employees in the
10 collective bargaining unit under s. 111.825 (2) (b). The commission shall establish
11 a procedure for selecting the representative by authorization cards in lieu of secret
12 ballot.”.

13 **653.** Page 1232, line 24: delete the material beginning with that line and
14 ending with page 1233, line 5.

15 **654.** Page 1233, line 5: after that line insert:

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

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

23 **655.** Page 1234, line 2: after that line insert:

1 “**SECTION 2256t.** 115.436 (3) (a) (intro.), 1. and 2. of the statutes are
2 consolidated, renumbered 115.436 (3) (a) and amended to read:

3 115.436 **(3)** (a) Beginning in the ~~2008–09~~ 2009–10 school year, from the
4 appropriation under s. 20.255 (2) (ae) and subject to par. (b). the department shall
5 pay to each school district eligible for sparsity aid ~~the following amount from the~~
6 ~~appropriation under s. 20.255 (2) (ae), subject to par. (b):~~ 1. If less than 50 percent
7 of the school district’s membership in the previous school year was eligible for a free
8 or reduced-price lunch under 42 USC 1758 (b), \$150 multiplied by the membership
9 in the previous school year. 2. If 50 percent or more of the school district’s
10 membership in the previous school year was eligible for a free or reduced-price lunch
11 under 42 USC 1758 (b), \$300 multiplied by the membership in the previous school
12 year.”.

13 **656.** Page 1235, line 24: delete lines 24 and 25.

14 **657.** Page 1236, line 1: delete lines 1 to 7.

15 **658.** Page 1236, line 8: delete lines 8 to 11.

16 **659.** Page 1238, line 16: delete that line and substitute “department will
17 adopt or approve substantially redesigned examinations under sub. (1) to be
18 initially”.

19 **660.** Page 1238, line 17: delete “under sub. (1m)”.

20 **661.** Page 1238, line 17: delete “beginning”.

21 **662.** Page 1238, line 18: delete “and annually thereafter”.

22 **663.** Page 1242, line 12: delete lines 12 to 22 and substitute:

1 “**SECTION 2273bd.** 118.40 (2r) (e) 1. of the statutes is renumbered 118.40 (2r)
2 (e) 1. a. and amended to read:

3 118.40 (2r) (e) 1. a. ~~From~~ In the 2009–10 and 2010–11 school years, from the
4 appropriation under s. 20.255 (2) (fm), the department shall pay to the operator of
5 the charter school an amount equal to the sum of the amount paid per pupil under
6 this subdivision in the previous school year and the increase in the per pupil amount
7 paid to private schools under s. 119.23 (4) (b) 2. or (bg) in the current school year as
8 compared to the previous school year, multiplied by the number of pupils attending
9 the charter school.

10 c. The amount paid per pupil under this subdivision may not be less than the
11 amount paid per pupil under this subdivision in the previous school year. The
12 department shall pay 25% of the total amount in September, 25% in December, 25%
13 in February, and 25% in June. The department shall send the check to the operator
14 of the charter school.

15 **SECTION 2273be.** 118.40 (2r) (e) 1. b. of the statutes is created to read:

16 118.40 (2r) (e) 1. b. In the 2011–12 school year and in each school year
17 thereafter, from the appropriation under s. 20.255 (2) (fm), the department shall pay
18 to the operator of the charter school an amount equal to the sum of the amount paid
19 per pupil under this subdivision in the previous school year and the per pupil revenue
20 limit adjustment under s. 121.91 (2m) in the current school year, multiplied by the
21 number of pupils attending the charter school.

22 **SECTION 2273bf.** 118.40 (2r) (f) of the statutes is created to read:

23 118.40 (2r) (f) When establishing or contracting for the establishment of a
24 charter school under this subsection, an entity specified under par. (b) shall consider

1 the principles and standards for quality charter schools established by the National
2 Association of Charter School Authorizers.”.

3 **664.** Page 1244, line 3: after that line insert:

4 “SECTION 2274t. 118.51 (16) (e) of the statutes is created to read:

5 118.51 (16) (e) If in any school year the number determined in par. (a) 2. less
6 the number determined in par. (a) 1. is greater than 10 percent of the school district’s
7 membership used to calculate general school aids in that school year, in the following
8 school year the department shall pay to the school district, from the appropriation
9 account under s. 20.255 (2) (ch), the amount determined as follows:

10 1. Subtract the number of pupils determined in par. (a) 1. for the calculation
11 under par. (e) (intro.) from the number of pupils determined in par. (a) 2 for the
12 calculation under par. (e) (intro.).

13 2. Multiply the school district’s membership used for the calculation under par.
14 (e) (intro.) by 0.10.

15 3. Subtract the result under subd. 2. from the result in subd. 1.

16 4. Multiply the difference under subd. 3. by the amount under par. (a) 3. in the
17 previous school year.”.

18 **665.** Page 1244, line 10: delete “118.245,” and substitute “~~118.245,~~”.

19 **666.** Page 1247, line 1: delete the material beginning with “not” and ending
20 with “participating” on line 2 and substitute “a first-time participant”.

21 **667.** Page 1250, line 10: delete “and (p)”.

22 **668.** Page 1255, line 20: delete lines 20 to 23.

23 **669.** Page 1259, line 12: delete that line and substitute:

24 “SECTION 2296b. 119.82 (1m) (c) of the statutes is amended to read:

1 119.82 **(1m)** (c) Has been or is being sanctioned under s. 49.26 (1) (h) ~~or is~~
2 subject to the monthly attendance requirement under s. DWD 11.195 (4) (b) 2., Wis.
3 Adm. Code.”.

4 **670.** Page 1259, line 16: delete “~~(ne)~~ (nd)” and substitute “(ne)”.

5 **671.** Page 1260, line 3: before “632.895” insert “632.885.”.

6 **672.** Page 1261, line 23: after that line insert:

7 “**SECTION 2299g.** 121.07 (6) (e) 1. of the statutes is amended to read:

8 121.07 **(6)** (e) 1. For a school district created by a consolidation under s. 117.08
9 or 117.09, in the school year in which the consolidation takes effect and in each of the
10 subsequent 4 school years, the amounts under pars. (b) and (d) shall be multiplied
11 by ~~1.1~~ 1.15 and rounded to the next lowest dollar.

12 **SECTION 2299r.** 121.07 (7) (e) 1. of the statutes is amended to read:

13 121.07 **(7)** (e) 1. For a school district created by a consolidation under s. 117.08
14 or 117.09, in the school year in which the consolidation takes effect and in each of the
15 subsequent 4 school years, the amounts under pars. (a) to (bm) shall be multiplied
16 by ~~1.1~~ 1.15 and rounded to the next lower dollar.”.

17 **673.** Page 1261, line 23: after that line insert:

18 “**SECTION 2300m.** 121.08 (4) (a) 1. of the statutes is amended to read:

19 121.08 **(4)** (a) 1. Add In the 2009–10 and 2010–11 school year, add the amounts
20 paid under s. 118.40 (2r) in the current school year, and in the 2011–12 school year
21 and each school year thereafter, add the amounts paid under s. 118.40 (2r) in the
22 2010–11 school year.”.

23 **674.** Page 1263, line 19: delete the material beginning with that line and
24 ending with page 1264, line 12.

1 **675.** Page 1265, line 11: after “school board” insert “of the school district
2 operating under ch. 119”.

3 **676.** Page 1266, line 1: delete lines 1 to 9.

4 **677.** Page 1267, line 6: after “ss.” insert “118.51 (16) (e).”.

5 **678.** Page 1267, line 21: after that line insert:

6 “**SECTION 2312d.** 121.905 (1) of the statutes is amended to read:

7 121.905 (1) In this section, “revenue ceiling” means ~~§8,700 in the 2007–08~~
8 ~~school year and~~ §9,000 in the 2009–10 school year and in the 2010–11 school year and
9 §9,800 in any subsequent school year.”.

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

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

13 **681.** Page 1277, line 7: after that line insert:

14 “**SECTION 2318em.** 125.27 (3) of the statutes is created to read:

15 125.27 (3) PERMITS FOR CERTAIN TRIBES. (a) In this subsection, “tribe” means a
16 federally recognized American Indian tribe in this state having a reservation created
17 pursuant to treaty with the United States encompassing not less than 60,000 acres
18 nor more than 70,000 acres or any business entity that is wholly owned and operated
19 by such a tribe.

20 (b) Upon application, the department shall issue a Class “B” permit to a tribe
21 that holds a valid certificate issued under s. 73.03 (50) and that is qualified under
22 s. 125.04 (5) and (6). The permit authorizes the retail sale of fermented malt
23 beverages for consumption on or off the premises where sold.

1 (c) A tribe holding a permit under par. (a) may sell beverages containing less
2 than 0.5% of alcohol by volume without obtaining a license under s. 66.0433 (1).

3 (d) Except as provided in this subsection, all sections of this chapter applying
4 to Class “B” licenses apply to Class “B” permits issued under this subsection.”.

5 **682.** Page 1277, line 23: after that line insert:

6 “**SECTION 2318fm.** 125.51 (3) (e) 2. of the statutes is amended to read:

7 125.51 (3) (e) 2. Each municipal governing body shall establish the fee, in an
8 amount not less than \$10,000, for an initial issuance of a reserve “Class B” license,
9 as defined in sub. (4) (a) 4., and, if the municipality contains a capital improvement
10 area enumerated under sub. (4) (x) 2. a., for an initial issuance of a “Class B” license
11 under sub. (4) (x) 3. and 4., except that the fee for an initial issuance of a reserve
12 “Class B” license to a bona fide club or lodge situated and incorporated in the state
13 for at least 6 years is the fee established under subd. 1. for such a club or lodge. The
14 fee under this subdivision is in addition to any other fee required under this chapter.
15 The annual fee for renewal of a reserve “Class B” license, as defined in sub. (4) (a)
16 1., and a “Class B” license issued under sub. (4) (x) 3. or 4. is the fee established under
17 subd. 1.”.

18 **683.** Page 1278, line 21: after that line insert:

19 “**SECTION 2318im.** 125.51 (4) (w) 4. of the statutes is created to read:

20 125.51 (4) (w) 4. Notwithstanding pars. (am) to (d) and s. 125.185 (5), a 3rd class
21 city located in Dane County having a population as shown in the 2000 federal
22 decennial census of at least 15,000 but not more than 16,000 may issue 2 “Class B”
23 licenses in addition to the number of licenses determined for the city’s quota under
24 pars. (b) to (d).”.

1 **684.** Page 1278, line 21: after that line insert:

2 “**SECTION 2318ip.** 125.51 (5) (d) of the statutes is created to read:

3 125.51 **(5)** (d) PERMITS FOR CERTAIN TRIBES. 1. In this paragraph, “tribe” has the
4 meaning given in s. 125.27 (3) (a).

5 2. Upon application, the department shall issue a “Class B” permit to a tribe
6 that holds a valid certificate issued under s. 73.03 (50) and that is qualified under
7 s. 125.04 (5) and (6). The permit authorizes the retail sale of intoxicating liquor for
8 consumption on the premises where sold by the glass and not in the original package
9 or container. The permit also authorizes the sale of intoxicating liquor in the original
10 package or container, in multiples not to exceed 4 liters at any one time, to be
11 consumed off the premises where sold, except that wine is not subject to the 4-liter
12 limitation.

13 3. Except as provided in this paragraph, all sections of this chapter applying
14 to “Class B” licenses apply to “Class B” permits issued under this paragraph.”.

15 **685.** Page 1278, line 21: after that line insert:

16 “**SECTION 2318it.** 125.51 (4) (x) of the statutes is created to read:

17 125.51 **(4)** (x) 1. In this paragraph:

18 a. “Area base value” means the aggregate assessed value of all taxable property
19 located within the geographic bounds of a capital improvement area on January 1
20 of the year that is 5 years prior to the year in which such capital improvement area
21 is enumerated under subd. 2.

22 b. “Capital improvement area” means a geographic area that is enumerated
23 under subd. 2. as having an improvement increment exceeding \$50,000,000 in the
24 year in which the area is enumerated and as being located within a municipality with

1 insufficient reserve “Class B” licenses to issue a “Class B” license for each business
2 or proposed business that would reasonably require one.

3 c. “Good faith,” with respect to an applicant’s attempt to purchase a “Class B”
4 licensed business, includes an applicant making an offer to purchase the business
5 for an amount exceeding \$25,000 in total value, without additional significant
6 conditions placed on the purchase by either party, after having given notice to all
7 current “Class B” license holders within the municipality where the business is
8 located, by U.S. mail addressed to either the licensee’s last-known address or to the
9 licensed premises, of the applicant’s interest in purchasing a licensed business,
10 except that an offer in an amount of \$25,000 or less may also be considered to be in
11 a good faith for purposes of this subd. 1. c. depending on the fair market value of the
12 business, the availability of other licensed businesses for purchase, and any
13 conditions attached to the sale.

14 d. “Improvement increment” means the aggregate assessed value of all taxable
15 property in a capital improvement area as of January 1 of any year minus the area
16 base value.

17 e. “Qualified applicant” means an applicant that complies with all
18 requirements under s. 125.04 (5) and (6) and any applicable ordinance, that certifies
19 by affidavit that the applicant has made a good faith attempt to purchase the
20 business of a person holding a “Class B” license within the municipality and have
21 that license transferred to the applicant under s. 125.04 (12) (b) 4., and for whom the
22 issuing municipality has determined that these requirements have been met.

23 2. The legislature hereby enumerates the following areas, with the geographic
24 boundaries described in this subdivision, as capital improvement areas:

1 a. The geographic area composed of all land within the Tax Incremental
2 District Number 3 within the city of Oconomowoc in Waukesha County that lies
3 south of Valley Road and east of STH 67 or that lies south of I 94 and west of STH
4 67.

5 3. Notwithstanding pars. (am) to (d) and s. 125.185 (5), upon application by a
6 qualified applicant, the governing body of any municipality containing a capital
7 improvement area enumerated under subd. 2. a. shall issue to the qualified applicant
8 one “Class B” license in addition to the number of licenses determined for the
9 municipality’s quota under pars. (b) to (d) and in addition to any license under par.
10 (v).

11 4. Notwithstanding pars. (am) to (d) and s. 125.185 (5), after a qualified
12 applicant has filed an application under subd. 3. and upon application by an initial
13 qualified applicant under this subdivision, the governing body of any municipality
14 containing a capital improvement area enumerated under subd. 2. a. shall determine
15 the improvement increment within the capital improvement area for the calendar
16 year in which the application under this subdivision is filed. If the improvement
17 increment is at least \$10,000,000 above \$50,000,000, the governing body of the
18 municipality shall issue to the initial qualified applicant a “Class B” license. For
19 each \$10,000,000 of improvement increment above \$50,000,000, the governing body
20 of the municipality is authorized to issue under this subdivision one “Class B” license
21 and, upon each application by a qualified applicant subsequent to that of the initial
22 qualified applicant, the governing body of the municipality shall issue a “Class B”
23 license to the qualified applicant until all licenses authorized under this subdivision
24 have been issued. If the governing body of any municipality receives an application
25 by a qualified applicant in a calendar year subsequent to the calendar year in which

1 it received the application of the initial qualified applicant, the governing body of the
2 municipality shall redetermine the improvement increment for that year for the
3 purpose of determining the number of “Class B” licenses authorized under this
4 subdivision. The “Class B” licenses that a municipality is authorized to issue under
5 this subdivision are in addition to the number of licenses determined for the
6 municipality’s quota under pars. (b) to (d), any license under par. (v), and the license
7 under subd. 3.

8 5. Notwithstanding subds. 3. and 4., not more than 8 “Class B” licenses may
9 be issued under this paragraph for premises within the same capital improvement
10 area.

11 6. Notwithstanding subd. 7., any “Class B” license issued under this paragraph
12 may be transferred as provided under s. 125.04 (12) (b) 4. Notwithstanding subds.
13 5. and 7., if a “Class B” license issued under this paragraph is surrendered to the
14 issuing municipality, revoked, or not renewed, the municipality may reissue the
15 license to a qualified applicant for a premises located within the same capital
16 improvement area for which the license was originally issued.

17 7. No “Class B” license may be issued under this paragraph after July 1, 2017.”.

18 **686.** Page 1282, line 4: delete lines 4 to 7.

19 **687.** Page 1282, line 18: delete “\$1.87”.

20 **688.** Page 1282, line 19: delete lines 19 and 20 and substitute “~~per ounce, and~~
21 ~~at a proportionate rate for any other quantity or fractional part thereof, of the moist~~
22 ~~snuff’s net weight, as listed by the manufacturer~~ 100 percent of the manufacturer’s
23 established list price to distributors without diminution by volume or other discounts
24 on domestic products. The tax”.

1 **689.** Page 1282, line 21: delete “50 71” and substitute “50”.

2 **690.** Page 1282, line 25: after “States.” insert “On moist snuff imported from
3 another country, the rate of the tax is 100 percent of the amount obtained by adding
4 the manufacturer’s list price to the federal tax, duties, and transportation costs to
5 the United States.”.

6 **691.** Page 1283, line 7: delete the material beginning with that line and
7 ending with page 1284, line 12.

8 **692.** Page 1284, line 17: delete lines 17 and 18 and substitute “\$1.31 per
9 ounce, and at a proportionate rate for any other quantity or fractional part thereof,
10 of the moist snuff’s net weight, as listed by the manufacturer 100 percent of the
11 manufacturer’s established list price to distributors without diminution by volume
12 or other discounts on domestic products. The tax”.

13 **693.** Page 1284, line 19: delete “50 71” and substitute “50”.

14 **694.** Page 1292, line 8: delete “The” and substitute “Except as provided in sub.
15 (1g), the”.

16 **695.** Page 1292, line 15: after “(b)” insert “, sub. (1g),”.

17 **696.** Page 1292, line 21: after “provided in” insert “sub. (1g) or”.

18 **697.** Page 1293, line 8: after that line insert:

19 “3m. For providing copies in digital or electronic format, a single charge of \$5
20 for all copies requested. A health care provider may not charge a fee for the disc or
21 other storage medium on which copies are provided in a digital or electronic format.”.

22 **698.** Page 1293, line 21: delete “A health” and substitute “Except as provided
23 in sub. (1g), a health”.

1 **699.** Page 1294, line 3: after that line insert:

2 “**SECTION 2433e.** 146.83 (1g) of the statutes is created to read:

3 146.83 **(1g)** The time limit for making records available for inspection under
4 sub. (1d), the time limits for providing copies of records under sub. (1f) (a) and (b),
5 and the requirement under sub. (1f) (d) 2. to provide one set of copies of records
6 without charge if the patient is eligible for medical assistance do not apply if the
7 health care provider is the department or the department of corrections.”.

8 **700.** Page 1294, line 15: after that line insert:

9 “3m. For providing copies in digital or electronic format, a single charge of \$5
10 for all copies requested. A health care provider may not charge a fee for the disc or
11 other storage medium on which copies are provided in a digital or electronic format.”.

12 **701.** Page 1294, line 19: delete “patient or person authorized by the patient”
13 and substitute “requester”.

14 **702.** Page 1295, line 4: delete “(a)”.

15 **703.** Page 1295, line 12: delete lines 12 and 13.

16 **704.** Page 1307, line 16: after that line insert:

17 “**SECTION 2443d.** 165.018 of the statutes is repealed.”.

18 **705.** Page 1307, line 20: delete “shall” and substitute “may”.

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

20 **707.** Page 1307, line 22: after “following” insert “, for retention pay for
21 assistant district attorneys and assistant state public defenders”.

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

23 **709.** Page 1308, line 11: delete that line and substitute:

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

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

5 **711.** Page 1308, line 15: delete that line and substitute:

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

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

10 **713.** Page 1309, line 7: after that line insert:

11 “**SECTION 2446m.** 165.755 (1) (b) of the statutes is amended to read:

12 165.755 (1) (b) A court may not impose the crime laboratories and drug law
13 enforcement surcharge under par. (a) for a violation of s. 101.123 (2) (a), (am) 1., (ar),
14 (bm), (br), or (bv) or (5) (b), for a financial responsibility violation under s. 344.62 (2),
15 for a first violation of s. 23.33 (4c) (a) 2., 30.681 (1) (b) 1., 346.63 (1) (b), or 350.101
16 (1) (b), if the person who committed the violation had a blood alcohol concentration
17 of 0.08 or more but less than 0.1 at the time of the violation, or for a violation of a state
18 law or municipal or county ordinance involving a nonmoving traffic violation, a
19 violation under s. 343.51 (1m) (b), or a safety belt use violation under s. 347.48 (2m).”.

20 **714.** Page 1312, line 20: delete the material beginning with that line and
21 ending with page 1315, line 23.

22 **715.** Page 1316, line 3: before “632.895” insert “632.885.”.

23 **716.** Page 1316, line 11: before “632.895” insert “632.885.”.

1 **717.** Page 1319, line 18: delete the material beginning with that line and
2 ending with page 1320, line 5.

3 **718.** Page 1320, line 10: delete “active voice or nonvoice” and substitute
4 “active retail voice”.

5 **719.** Page 1320, line 14: delete the material beginning with “that the” and
6 ending with “subscriber.” on line 15 and substitute “with an assigned telephone
7 number, including a communication service provided via a voice over Internet
8 protocol connection. If a communications provider provides multiple
9 communications service connections to a subscriber, the communications provider
10 shall impose a separate fee under this subdivision on each of the first 10 connections
11 and one additional fee for each 10 additional connections per billed account.”.

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

16 **721.** Page 1321, line 18: after that line insert:

17 “**SECTION 2454L.** 196.025 (6) of the statutes, as created by 2009 Wisconsin Act
18 (this act), is repealed.”.

19 **722.** Page 1322, line 5: after that line insert:

20 “**SECTION 2460f.** 196.202 (2) of the statutes, as affected by 2009 Wisconsin Act
21 (this act), is repealed and recreated to read:

22 196.202 (2) SCOPE OF REGULATION. A commercial mobile radio service provider
23 is not subject to ch. 201 or this chapter, except as provided in sub. (5), and except that
24 a commercial mobile radio service provider is subject to ss. 196.218 (3) and 196.859,

1 and shall respond, subject to the protection of the commercial mobile radio service
2 provider’s competitive information, to all reasonable requests for information about
3 its operations in this state from the commission necessary to administer ss. 196.218
4 (3) and 196.859.”.

5 **723.** Page 1322, line 12: after that line insert:

6 “**SECTION 2460t.** 196.203 (1) of the statutes, as affected by 2009 Wisconsin Act
7 (this act), is repealed and recreated to read:

8 196.203 (1) Alternative telecommunications utilities are exempt from all
9 provisions of ch. 201 and this chapter, except as provided in this section and except
10 that an alternative telecommunications utility that is a local government
11 telecommunications utility, as defined in s. 196.204 (5) (ag) 1., is subject to s. 196.204
12 (5).”.

13 **724.** Page 1322, line 18: after that line insert:

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

15 196.31 (2m) From the appropriation under s. 20.155 (1) (j), the commission
16 shall make an annual grant of \$300,000 to a nonstock, nonprofit corporation that is
17 described under section 501 (c) (3) of the Internal Revenue Code, and that has a
18 history of advocating on behalf of residential ratepayers for affordable rates, for the
19 purpose of offsetting the general expenses of the corporation, including salary,
20 benefit, rent, and utility expenses.”.

21 **725.** Page 1322, line 19: delete the material beginning with that line and
22 ending with page 1323, line 11.

23 **726.** Page 1323, line 15: after that line insert:

1 “**SECTION 2475L.** 196.499 (1) (intro.) of the statutes, as affected by 2009
2 Wisconsin Act (this act), is repealed and recreated to read:

3 196.499 **(1)** SCOPE. (intro.) Notwithstanding any other provisions of this
4 chapter, a telecommunications carrier is not subject to regulation under this chapter,
5 except under each of the following provisions:”.

6 **727.** Page 1324, line 8: delete lines 8 to 25.

7 **728.** Page 1325, line 1: delete lines 1 to 9.

8 **729.** Page 1325, line 18: delete the material beginning with that line and
9 ending with page 1326, line 5.

10 **730.** Page 1326, line 25: delete the material beginning with that line and
11 ending with page 1327, line 20.

12 **731.** Page 1328, line 7: delete the material beginning with that line and
13 ending with page 1329, line 24.

14 **732.** Page 1330, line 18: after that line insert:

15 “**SECTION 2482m.** 230.04 (17m) of the statutes is created to read:

16 230.04 **(17m)** Upon receiving notice from the department of corrections that
17 a unit supervisor position in the division of adult institutions in the department of
18 corrections has become vacant, the director shall reclassify the position under s.
19 230.09 as a teacher position.”.

20 **733.** Page 1345, line 15: after that line insert:

21 “**SECTION 2520d.** 250.20 (6) of the statutes is created to read:

1 250.20 **(6)** AMERICAN INDIAN DIABETES PREVENTION AND CONTROL. From the
2 appropriation under s. 20.435 (1) (kf), the department shall fund activities to prevent
3 and control diabetes among American Indians.”.

4 **734.** Page 1346, line 1: delete lines 1 to 9.

5 **735.** Page 1357, line 4: after that line insert:

6 “**SECTION 2552g.** 254.47 (7) of the statutes is created to read:

7 254.47 **(7)** The department may not require that a swimming pool be staffed
8 by a lifeguard as a condition of receiving a permit under this section if the swimming
9 pool is less than 2,500 square feet, the swimming pool is located in a private club in
10 the city of Milwaukee, and the club has a policy that prohibits a minor from using
11 the swimming pool when not accompanied by an adult.”.

12 **736.** Page 1362, line 23: after that line insert:

13 “**SECTION 2572hb.** 256.35 (1) (cs) of the statutes is created to read:

14 256.35 **(1)** (cs) “Communications provider” means a person that provides active
15 voice or nonvoice communications service that is capable of accessing a public safety
16 answering point.

17 **SECTION 2572he.** 256.35 (1) (ee) of the statutes is created to read:

18 256.35 **(1)** (ee) “Enhanced 911 service” means delivering 911 calls with
19 automatic number identification and automatic location identification to an
20 appropriate public safety answering point by selective routing based on the
21 geographical location from which the call originated and providing either a specific
22 street address or information defining the approximate geographic location, in
23 accordance with orders promulgated by the federal communications commission.

24 **SECTION 2572hh.** 256.35 (1) (gm) of the statutes is amended to read:

1 256.35 (1) (gm) “Public safety answering point” means a facility to which a call
2 on a basic or sophisticated system is initially routed for response, and on which a
3 public agency directly dispatches the appropriate emergency service provider, relays
4 a message to the appropriate emergency service provider or transfers the call to the
5 appropriate emergency services provider. “Public safety answering point” includes
6 a wireless public safety answering point, as defined in sub. (3m) (a) 7.

7 **SECTION 2572hL.** 256.35 (3) of the statutes is repealed.

8 **SECTION 2572ho.** 256.35 (3g) of the statutes is created to read:

9 256.35 (3g) ENHANCED 911 GRANTS. (a) *Surcharges.* 1. ‘In general.’ Except as
10 provided in subd. 2., each communications provider shall impose on subscriber bills
11 a monthly surcharge of 75 cents, subject to any adjustment under subd. 3. A
12 communications provider may list the surcharge separately from other charges on
13 a subscriber’s bill. Any partial payment of a surcharge by a subscriber shall be
14 applied first to any amount the subscriber owes the communications provider for
15 communications service.

16 2. ‘Prepaid wireless.’ a. A communications provider that offers prepaid
17 wireless service, or a seller that offers prepaid wireless service on behalf of a
18 communications provider, shall impose a surcharge equal to one-half of the
19 surcharge required under subd. 1., as adjusted under subd. 3., on subscribers with
20 respect to each retail transaction for prepaid wireless service that occurs in this
21 state. The communications provider or seller may state the amount of the surcharge
22 separately on an invoice, receipt, or similar document provided to a subscriber, or
23 may otherwise disclose the surcharge to the subscriber. The surcharge is the liability
24 of the subscriber, and not of the communications provider or seller, except that a
25 communications provider or seller is liable to remit all surcharges that the

1 communications provider or seller collects from subscribers, including all such
2 surcharges that the communications provider or seller is considered to collect where
3 the amount of the surcharge is not separately stated on an invoice, receipt, or other
4 similar document provided to the subscriber by the communications provider or
5 seller.

6 b. The commission shall promulgate rules exempting from the surcharge
7 required under subd. 2. a. a transaction that is not considered to be a sale at retail
8 under subch. III of ch. 77.

9 c. For purposes of subd. 2. a., a retail transaction effected in person by a
10 subscriber at a business location of the communications provider occurs in this state
11 if the business location is in this state and any other retail transaction occurs in this
12 state if the location of the retail transaction is in this state as determined under s.
13 77.522.

14 d. Except for the surcharge authorized under this subdivision, no local
15 government or state agency, as defined in s. 560.9810 (1), may impose a fee with
16 respect to prepaid wireless on any communications provider, seller, or consumer, for
17 the purpose of funding wireless emergency telephone service.

18 e. The commission shall promulgate rules establishing requirements and
19 procedures for auditing sellers to determine compliance with this subdivision,
20 including requirements and procedures for appealing determinations of the
21 commission. To the extent practicable, the rules shall incorporate the audit and
22 appeal provisions under ss. 77.59 and 77.61.

23 3. 'Adjustments.' a. Annually, the commission shall adjust the amount of the
24 surcharge required under subd. 1. to reflect any change in the U.S. consumer price
25 index for the midwest region as determined by the U.S. department of labor during

1 the period beginning on August 31 of the year that is 2 years before the commission's
2 adjustment and ending on August 31 of the year before the commission's adjustment.

3 b. The commission shall annually monitor the revenues, including interest,
4 generated by the surcharges remitted under subd. 4. a. If the commission determines
5 that the surcharges generate revenue in excess of the amount required for grants
6 under par. (d), the commission shall reduce the amount of the surcharge required
7 under subd. 1., but only if the reduction ensures full cost recovery for grant recipients
8 over a reasonable period. If the commission determines that the surcharges remitted
9 under subd. 4. a. generate revenue that is less than the amount required for grants
10 under par. (d), the commission shall increase the surcharge required under subd. 1.
11 by an amount that ensures full cost recovery for grant recipients over a reasonable
12 period, except that, in a year, the commission may not increase the surcharge by an
13 amount greater than an increase allowed for that year under subd. 3. a.

14 c. No later than October 1 of each year the commission shall notify
15 communications providers and sellers who offer prepaid wireless on behalf of
16 communications providers of any adjustment to the surcharge required under subd.
17 1., and the adjustment shall be effective on January 1 of the following year.

18 4. 'Collection and remittance.' a. A communications provider or seller that
19 offers prepaid wireless on behalf of a communication provider shall remit surcharges
20 to the commission no later than the end of the month following the month that the
21 provider or seller collects the surcharges from subscribers, except that a
22 communications provider may deduct and retain from the remittance an
23 administrative allowance equal to \$50, or 1 percent of the surcharges collected from
24 subscribers, whichever is greater. The commission may require that
25 communications providers and sellers report the amount of uncollected surcharges

1 on an annual basis, or less frequently as determined by the commission. The
2 commission may require that a communications provider or seller provide the
3 commission with the name, address, and telephone number of a subscriber who
4 refuses to pay a surcharge. The commission shall deposit all remittances under this
5 subd. 4. a. into the 911 fund.

6 b. A communications provider or seller has no obligation to take any legal
7 action to enforce the collection of the surcharge billed to a subscriber. The
8 commission may initiate a collection action against a subscriber for an unpaid
9 surcharge, and recover reasonable costs and, notwithstanding s. 814.04 (1), attorney
10 fees associated with the action.

11 (b) *Grant applications; communications providers.* A communications provider
12 may apply to the commission for grants for reimbursement of actual, commercially
13 reasonable costs incurred in complying with the requirements for enhanced 911
14 service, including the costs incurred for designing, upgrading, purchasing, leasing,
15 programming, installing, testing, or maintaining all necessary data, hardware, and
16 software required to provide enhanced 911 service, and the recurring and
17 nonrecurring costs of providing enhanced 911 service. An application shall include
18 invoices for the costs for which reimbursement is claimed.

19 (c) *Grant applications; local governments.* 1. A local government that operates
20 a wireless public safety answering point that was in operation on November 30, 2008,
21 and that was identified in a resolution adopted under sub. (3m) (c) 3., and a local
22 government designated under subd. 2., may apply to the commission for grants if the
23 local government submits annual applications to the commission that identify the
24 expenses eligible for reimbursement under subd. 3., list the invoices for
25 reimbursement that are related to compliance with enhanced 911 service

1 requirements, and include the costs of landline 911 trunks and charges for public
2 safety answering points in the same county as the local government.

3 2. If enhanced 911 service was not available in a county on November 30, 2008,
4 and the county designates one local government in the county, or the county itself,
5 as the operator of the primary public safety answering point for the county, the local
6 government or county so designated is eligible for grants under subd. 1. The
7 commission shall promulgate rules establishing requirements and procedures for a
8 county to make a designation under this subdivision.

9 3. Expenses that are eligible for reimbursement under subd. 1. are the actual
10 costs incurred by a public safety answering point in complying with the requirements
11 of enhanced 911 service, including costs incurred for designing, upgrading,
12 purchasing, leasing, programming, installing, testing, or maintaining all necessary
13 data, hardware, and software required to provide enhanced 911 service; the
14 recurring and nonrecurring costs of providing enhanced 911 service; and the costs
15 associated with training public safety answering point personnel.

16 (d) *Payment of grants.* From the appropriation account under s. 20.155 (3) (r),
17 the commission shall award grants to communications providers and local
18 governments who submit applications under pars. (b) and (c) for reimbursement of
19 costs that the commission determines are eligible for reimbursement. If the total
20 amount of invoices for cost reimbursement that are submitted to the commission and
21 approved for payment in a month exceeds the amount available from the 911 fund
22 for reimbursement, the commission shall proportionately reduce the amount
23 payable to each communications provider and local government so that the amount
24 paid in grants does not exceed the amount available from the 911 fund, and the
25 commission shall defer awarding grants for the balance due to each communications

1 provider and local government until sufficient moneys are available from the 911
2 fund.

3 (e) *Information requests; audits.* A local government that receives grants for
4 a public safety answering point shall comply with all requests by the commission for
5 financial information related to the operation of the public safety answering point
6 and, upon request, provide a copy of any audits conducted of the public safety
7 answering point to the commission.

8 (f) *Telephone relay service for hearing impaired.* A local government that
9 receives a grant under par. (d) shall ensure the each public safety answering point
10 operated by or on behalf of the local government complies with requirements of the
11 federal communications commission that all 911 answering positions are equipped
12 with the necessary equipment for accepting 911 calls from the hearing impaired
13 directly or through the use of a relaying service.

14 (g) *Audits.* The commission may require a communications provider or local
15 government that receives a grant under par. (d) to conduct an audit to ensure that
16 the grant application and use of the moneys received is consistent with the
17 requirements of this subsection and may require a local government that receives a
18 grant under par. (d) to provide a copy of its annual audit of the public safety
19 answering point for which the grant is received.

20 (h) *Unauthorized expenditures.* The commission may, on its own motion, or, at
21 its discretion, upon the complaint of any person, give written notice of violation to
22 any communications provider or local government alleged to be expending grant
23 moneys for a purpose not authorized under this subsection. Upon receipt of the
24 notice, the communications provider or local government shall cease making any
25 unauthorized expenditure, and may petition the commission for a hearing on the

1 question of whether an expenditure is authorized. The commission shall grant a
2 request for a hearing within a reasonable period. If, after the hearing, the
3 commission determines that an expenditure is not authorized, the commission shall
4 require the communications provider or local government to refund, within 90 days
5 of the commission's determination, the unauthorized expenditure.

6 (i) *Proprietary information.* Any information submitted by a communications
7 provider to the commission or the 911 council that the communications provider
8 designates as proprietary, and that the commission determines is proprietary, is
9 confidential and not subject to inspection or copying under s. 19.35, except with the
10 express consent of the communications provider. General information collected by
11 the commission or the 911 council may be released or published only in aggregate
12 amounts that do not identify or allow identification of numbers of subscribers or
13 revenues attributable to an individual communications provider.

14 (j) *Statewide plan.* The commission shall develop a statewide plan for
15 enhanced 911 services for the state. The plan shall be consistent with the plan
16 required under 47 USC 942 (b) (3) (A) (iii).

17 (k) *Rules.* The commission shall promulgate rules for administering the
18 requirements of this subsection.

19 (L) *Reports.* No later than February 28 of each odd-numbered year, the
20 commission shall submit a report to the legislature under s. 13.172 (2) that has
21 complete information regarding receipts and expenditures under this subsection
22 during the 2-year reporting period and that describes the status of the 911 system
23 in this state at the time of the report and the results of any related investigations
24 completed by the commission during the 2-year reporting period.

1 (m) *911 council*. The commission shall consult with the 911 council in carrying
2 out the commission's duties under this subsection.

3 **SECTION 2572hr.** 256.35 (3m) (a) 2. of the statutes is renumbered 256.35 (1)
4 (cp).

5 **SECTION 2572hu.** 256.35 (3m) (a) 3. of the statutes is renumbered 256.35 (1)
6 (em).

7 **SECTION 2572hy.** 256.35 (3m) (a) 4. of the statutes is renumbered 256.35 (1)
8 (es).”.

9 **737.** Page 1363, line 2: after that line insert:

10 “**SECTION 2573b.** 256.35 (5) of the statutes is created to read:

11 256.35 (5) REQUIREMENT TO PROVIDE ENHANCED 911 SERVICE. In accordance with
12 the federal wireless orders, no communications provider is required to provide
13 enhanced wireless 911 service until all of the following conditions are satisfied:

14 (a) The communications provider receives a request for the service from the
15 administrator of a public safety answering point that is capable of receiving and
16 utilizing the data elements associated with the service.

17 (b) The funds for reimbursement of the communications provider's costs are
18 available.

19 (c) The relevant local exchange carrier is able to support the requirements of
20 enhanced 911 service.

21 **SECTION 2573f.** 256.35 (7) of the statutes is amended to read:

22 256.35 (7) LIABILITY EXEMPTION. A telecommunications utility, wireless
23 provider, as defined in sub. (3m) (a) 6., person that provides exchange telephone
24 service to a telephone subscriber, cellular services, voice over Internet protocol

1 services, or cable telephony services, person that provides services to a device that
2 can access 911, or local government, as defined in sub. (3m) (a) 4., shall not be liable
3 to any person who uses an emergency number system created under this section or
4 makes an emergency telephone call initially routed to a wireless public safety
5 answering point, as defined in sub. (3m) (a) 7.

6 **SECTION 2573h.** 256.35 (8) of the statutes is created to read:

7 256.35 (8) SUBSCRIBER RECORDS AND INFORMATION. (a) Subscriber records that
8 a communications provider discloses to a public safety answering point remain the
9 property of the communications provider and use of the records is limited to
10 providing emergency services in response to 911 calls. Any communications provider
11 connection information of a subscriber, including the subscriber's address, that is
12 obtained by a public safety answering point for public safety purposes is not subject
13 to inspection or copying under s. 19.35.

14 (b) The disclosure or use of information contained in the database of the
15 telephone network portion of a 911 system, for other than operations of the 911
16 system, is prohibited.

17 (c) No later than 2 business days after a communications provider installs
18 service for a new subscriber, the communications provider shall provide the relevant
19 public safety answering point with subscriber information necessary to update the
20 master street address guide or location database used by the public safety answering
21 point to respond to emergency calls and the public safety answering point shall make
22 the update.”.

23 **738.** Page 1363, line 3: delete lines 3 to 5.

24 **739.** Page 1363, line 5: after that line insert:

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

2 **281.14 Wisconsin River monitoring and study. (1)** In this section:

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

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

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

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

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

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

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

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

22 **740.** Page 1385, line 17: delete lines 17 to 25.

23 **741.** Page 1386, line 1: delete lines 1 to 7.

24 **742.** Page 1391, line 7: delete lines 7 to 9.

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

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

4 **745.** Page 1391, line 13: delete lines 13 to 17 and substitute:

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

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

11 **746.** Page 1396, line 5: delete the material beginning with that line and
12 ending with page 1397, line 4.

13 **747.** Page 1397, line 4: after that line insert:

14 “**SECTION 2649g.** 289.01 (4m) of the statutes is created to read:

15 289.01 **(4m)** “Building waste” means solid waste resulting from the
16 construction, demolition, or razing of buildings.

17 **SECTION 2650g.** 289.01 (5m) of the statutes is created to read:

18 289.01 **(5m)** “Construction landfill” means a solid waste disposal facility used
19 for the disposal of only construction and demolition wastes.

20 **SECTION 2651g.** 289.01 (5r) of the statutes is created to read:

21 289.01 **(5r)** “Construction and demolition waste” means solid waste resulting
22 from the construction, demolition, or razing of buildings, roads, and other
23 structures.”.

1 **748.** Page 1397, line 24: delete the material beginning with that line and
2 ending with page 1398, line 25.

3 **749.** Page 1398, line 25: after that line insert:

4 “**SECTION 2656k.** 289.51 (3) of the statutes is created to read:

5 289.51 **(3)** The department may not require that ash resulting from the burning
6 of a structure for practice or instruction of fire fighters or the testing of fire fighting
7 equipment be disposed of in a landfill licensed under s. 289.31.”.

8 **750.** Page 1398, line 25: after that line insert:

9 “**SECTION 2656h.** 289.63 (1) of the statutes is amended to read:

10 **289.63 (1)** IMPOSITION OF GROUNDWATER AND WELL COMPENSATION FEES ON
11 GENERATORS. Except as provided under sub. (6), a generator of solid or hazardous
12 waste shall pay separate groundwater and well compensation fees for each ton or
13 equivalent volume of solid or hazardous waste which is disposed of at a licensed solid
14 or hazardous waste disposal facility and for each ton or equivalent volume of building
15 waste that is disposed of at a construction landfill. If a person arranges for collection
16 or disposal services on behalf of one or more generators, that person shall pay the
17 groundwater and well compensation fees to the licensed solid or hazardous waste
18 disposal facility or to the construction landfill or to any intermediate hauler used to
19 transfer wastes from collection points to a licensed facility or to a construction
20 landfill. An intermediate hauler who receives groundwater and well compensation
21 fees under this subsection shall pay the fees to the licensed solid or hazardous waste
22 disposal facility or to the construction landfill. Tonnage or equivalent volume shall
23 be calculated in the same manner as the calculation made for tonnage fees under s.
24 289.62 (1).

1 **SECTION 2656i.** 289.64 (1) of the statutes is amended to read:

2 **289.64 (1)** IMPOSITION OF SOLID WASTE FACILITY SITING BOARD FEE ON GENERATORS.

3 Except as provided under sub. (4), a generator of solid waste or hazardous waste shall
4 pay a solid waste facility siting board fee for each ton or equivalent volume of solid
5 waste or hazardous waste that is disposed of at a licensed solid waste or hazardous
6 waste disposal facility and for each ton or equivalent volume of building waste that
7 is disposed of at a construction landfill. If a person arranges for collection or disposal
8 services on behalf of one or more generators, that person shall pay the solid waste
9 facility siting board fee to the licensed solid waste or hazardous waste disposal
10 facility or to the construction landfill or to any intermediate hauler used to transfer
11 wastes from collection points to a licensed facility or to a construction landfill. An
12 intermediate hauler who receives the solid waste facility siting board fee under this
13 subsection shall pay the fee to the licensed solid waste or hazardous waste disposal
14 facility or to the construction landfill. Tonnage or equivalent volume shall be
15 calculated in the same manner as the calculation made for tonnage fees under s.
16 289.62 (1).

17 **SECTION 2656j.** 289.64 (2) of the statutes is amended to read:

18 **289.64 (2)** COLLECTION. The owner or operator of a licensed solid waste or
19 hazardous waste disposal facility or of a construction landfill shall collect the solid
20 waste facility siting board fee from the generator, a person who arranges for disposal
21 on behalf of one or more generators or an intermediate hauler and shall pay to the
22 department the amount of the fee required to be collected according to the amount
23 of solid waste or hazardous waste received and disposed of at the facility or at the
24 construction landfill during the preceding reporting period.

25 **SECTION 2656jm.** 289.64 (5) of the statutes is amended to read:

1 289.64 (5) REPORTING PERIOD. The reporting period under this section is the
2 same as the reporting period under s. 289.62 (1). The owner or operator of any
3 licensed solid waste or hazardous waste disposal facility or of any construction
4 landfill shall pay the solid waste facility siting board fee required to be collected
5 under sub. (2) at the same time as any tonnage fees under s. 289.62 (1) are paid.

6 **SECTION 2656k.** 289.64 (7) (a) of the statutes is amended to read:

7 289.64 (7) (a) If a person required under sub. (1) to pay the solid waste facility
8 siting board fee to a licensed solid waste or hazardous waste disposal facility or to a
9 construction landfill fails to pay the fee, the owner or operator of the licensed solid
10 waste or hazardous waste disposal facility or of the construction landfill shall submit
11 to the department with the payment required under sub. (2) an affidavit stating facts
12 sufficient to show the person's failure to comply with sub. (1).

13 **SECTION 2656L.** 289.645 (1) of the statutes is amended to read:

14 289.645 (1) IMPOSITION OF RECYCLING FEE ON GENERATORS. Except as provided
15 under sub. (4), a generator of solid waste or hazardous waste shall pay a recycling
16 fee for each ton or equivalent volume of solid waste or hazardous waste that is
17 disposed of at a licensed solid waste or hazardous waste disposal facility and for each
18 ton or equivalent volume of building waste that is disposed of at a construction
19 landfill. If a person arranges for collection or disposal services on behalf of one or
20 more generators, that person shall pay the recycling fee to the licensed solid waste
21 or hazardous waste disposal facility or to the construction landfill or to any
22 intermediate hauler used to transfer wastes from collection points to a licensed
23 facility or to a construction landfill. An intermediate hauler who receives the
24 recycling fee under this subsection shall pay the fee to the licensed solid waste or
25 hazardous waste disposal facility or to the construction landfill. Tonnage or

1 equivalent volume shall be calculated in the same manner as the calculation made
2 for tonnage fees under s. 289.62 (1).

3 **SECTION 2656m.** 289.645 (2) of the statutes is amended to read:

4 289.645 (2) COLLECTION. The owner or operator of a licensed solid waste or
5 hazardous waste disposal facility or of a construction landfill shall collect the
6 recycling fee from the generator, a person who arranges for disposal on behalf of one
7 or more generators or an intermediate hauler and shall pay to the department the
8 amount of the fee required to be collected according to the amount of solid waste or
9 hazardous waste received and disposed of at the facility or at the construction landfill
10 during the preceding reporting period.”.

11 **751.** Page 1399, line 3: after that line insert:

12 “**SECTION 2657b.** 289.645 (5) (intro.) of the statutes is amended to read:

13 289.645 (5) PAYMENT. (intro.) The owner or operator of any licensed solid or
14 hazardous waste disposal facility or of any construction landfill shall pay the
15 recycling fee required to be collected under sub. (2) as follows:

16 **SECTION 2657d.** 289.645 (7) (a) of the statutes is amended to read:

17 289.645 (7) (a) If a person required under sub. (1) to pay the recycling fee to a
18 licensed solid waste or hazardous waste disposal facility or to a construction landfill
19 fails to pay the fee, the owner or operator of the licensed solid waste or hazardous
20 waste disposal facility or of the construction landfill shall submit to the department
21 with the payment required under sub. (2) an affidavit stating facts sufficient to show
22 the person’s failure to comply with sub. (1).

23 **SECTION 2657f.** 289.67 (1) (a) of the statutes is amended to read:

1 289.67 (1) (a) *Imposition of fee.* Except as provided under par. (f), a generator
2 of solid or hazardous waste shall pay an environmental repair fee for each ton or
3 equivalent volume of solid or hazardous waste which is disposed of at a licensed solid
4 or hazardous waste disposal facility and for each ton of building waste that is
5 disposed of at a construction landfill. If a person arranges for collection or disposal
6 services on behalf of one or more generators, that person shall pay the environmental
7 repair fee to the licensed solid or hazardous waste disposal facility or to the
8 construction landfill to any intermediate hauler used to transfer wastes from
9 collection points to a licensed facility. An intermediate hauler who receives
10 environmental repair fees under this paragraph shall pay the fees to the licensed
11 solid or hazardous waste disposal facility. Tonnage or equivalent volume shall be
12 calculated in the same manner as the calculation made for tonnage fees under s.
13 289.62 (1).

14 **SECTION 2657h.** 289.67 (1) (b) of the statutes is amended to read:

15 289.67 (1) (b) *Collection.* The owner or operator of a licensed solid or hazardous
16 waste disposal facility or of a construction landfill shall collect the environmental
17 repair fee from the generator, a person who arranges for disposal on behalf of one or
18 more generators or an intermediate hauler and shall pay to the department the
19 amount of the fees required to be collected according to the amount of solid or
20 hazardous waste received and disposed of at the facility or at the construction landfill
21 during the preceding reporting period.”.

22 **752.** Page 1399, line 3: after that line insert:

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

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

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

5 **754.** Page 1399, line 9: after that line insert:

6 “**SECTION 2658g.** 289.67 (1) (g) of the statutes is amended to read:

7 289.67 (1) (g) *Reporting period.* The reporting period under this subsection is
8 the same as the reporting period under s. 289.62 (1). The owner or operator of any
9 licensed solid or hazardous waste disposal facility or of any construction landfill shall
10 pay environmental repair fees required to be collected under par. (b) at the same time
11 as any tonnage fees under s. 289.62 (1).

12 **SECTION 2658m.** 289.67 (1) (i) 1. of the statutes is amended to read:

13 289.67 (1) (i) 1. If a person required under par. (a) to pay an environmental
14 repair fee to a licensed solid or hazardous waste disposal facility or to a construction
15 landfill fails to pay the fee, the owner or operator of the licensed solid or hazardous
16 waste disposal facility or of the construction landfill shall submit to the department
17 with the payment required under par. (b) an affidavit stating facts sufficient to show
18 the person’s failure to comply with par. (a).”.

19 **755.** Page 1399, line 9: after that line insert:

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

21 289.67 (1) (cv) *Environmental repair fee for certain sediments.* The
22 environmental repair fee imposed under par. (a) is \$4.05 per ton for solid or
23 hazardous waste disposed of on or after July 1, 2009, that consists of sediments that
24 are contaminated with PCBs, as defined in s. 299.45 (1) (a), and that are removed

1 from the bed of a navigable water of this state in connection with a phase of a project
2 to remedy contamination of the bed of the navigable water if the quantity of the
3 sediments removed, either in the phase or in combination with other planned phases
4 of the project, will exceed 200,000 cubic yards and if removal of sediments under the
5 project began before the effective date of this paragraph ... [LRB inserts date].”.

6 **756.** Page 1402, line 9: after that line insert:

7 “SECTION 2666r. 301.03 (21) of the statutes is created to read:

8 301.03 (21) Notify the director of the office of state employee relations
9 whenever a unit supervisor position in the division of adult institutions becomes
10 vacant.”.

11 **757.** Page 1414, line 3: delete lines 3 to 11.

12 **758.** Page 1415, line 8: delete lines 8 and 9 and substitute “sentence to
13 extended supervision when he or she serves not less than 75 percent”.

14 **759.** Page 1415, line 17: delete lines 17 to 25.

15 **760.** Page 1422, line 2: delete the material beginning with “, committed” and
16 ending with “date],” on line 3.

17 **761.** Page 1422, line 7: delete the material beginning with “, committed” and
18 ending with “date],” on line 8.

19 **762.** Page 1422, line 13: after that line insert:

20 “1d. A person sentenced on or after the effective date of this subdivision ...
21 [LRB inserts date].”.

22 **763.** Page 1422, line 14: delete “1.” and substitute “1m.”.

23 **764.** Page 1423, line 4: after that line insert:

1 “10. A person who is serving a sentence for an offense against an elderly or
2 vulnerable person, as defined in s. 939.22 (20d).

3 11. A person who is serving a sentence for an offense related to ethical
4 government, as defined in s. 939.22 (20m).

5 12. A person who is serving a sentence for an offense related to school safety,
6 as defined in s. 939.22 (20s).

7 13. A person who is serving a sentence for a felony murder under s. 940.03.

8 14. A person who is serving a sentence for a violation of s. 940.11 (1).

9 15. A person who is serving a sentence for a violation of s. 940.235.

10 16. A person who is serving a sentence for a violation of s. 940.32 (3).

11 17. A person who is serving a sentence for a violation of s. 941.21.

12 18. A person who is serving a sentence for a violation of s. 946.465.”.

13 **765.** Page 1426, line 7: delete “9.” and substitute “5.”.

14 **766.** Page 1426, line 7: after that line insert:

15 “**SECTION 2726p.** 302.113 (9) (am) 3m. of the statutes is created to read:

16 302.113 **(9)** (am) 3m. For purposes of subd. 2. a., the department shall
17 promulgate rules defining “substantial risk to public safety.””.

18 **767.** Page 1434, line 11: after that line insert:

19 “(em) 1. When a person is within 90 days of release to extended supervision
20 under par. (e), the department shall notify the sentencing court that it intends to
21 modify the person’s sentence and release the person to extended supervision under
22 par. (e), and the court may hold a review hearing. If the court does not schedule a
23 review hearing within 30 days after notification under this subsection, the
24 department may proceed under par. (e).

1 2. a. If the sentencing court opts to conduct a review, it shall hold the hearing
2 and issue an order relating to the person’s sentence modification and release to
3 extended supervision within 60 days of its notification under subd. 1.

4 b. At the hearing, the court may consider the person’s conduct in prison, his or
5 her level of risk of reoffending, based on a verified, objective instrument, and the
6 nature of the offense committed by the person. The court may accept the
7 department’s modification of the person’s sentence, reject the department’s
8 modification of the person’s sentence, or order the person to remain in prison for a
9 period that does not exceed the time remaining on the person’s term of confinement.”.

10 **768.** Page 1437, line 7: after that line insert:

11 “**SECTION 2740y.** 302.46 (1) (a) of the statutes is amended to read:

12 302.46 (1) (a) If a court imposes a fine or forfeiture for a violation of state law
13 or for a violation of a municipal or county ordinance except for a violation of s. 101.123
14 (2) (a), (am) 1., (ar), (bm), (br), or (bv) or (5), for a financial responsibility violation
15 under s. 344.62 (2), or for a first violation of s. 23.33 (4c) (a) 2., 30.681 (1) (b) 1., 346.63
16 (1) (b), or 350.101 (1) (b), if the person who committed the violation had a blood
17 alcohol concentration of 0.08 or more but less than 0.1 at the time of the violation,
18 or for a violation of state laws or municipal or county ordinances involving
19 nonmoving traffic violations, violations under s. 343.51 (1m) (b), or safety belt use
20 violations under s. 347.48 (2m), the court, in addition, shall impose a jail surcharge
21 under ch. 814 in an amount of 1 percent of the fine or forfeiture imposed or \$10,
22 whichever is greater. If multiple offenses are involved, the court shall determine the
23 jail surcharge on the basis of each fine or forfeiture. If a fine or forfeiture is

1 suspended in whole or in part, the court shall reduce the jail surcharge in proportion
2 to the suspension.”.

3 **769.** Page 1439, line 15: delete the material beginning with “, committed” and
4 ending with “date],” on line 16.

5 **770.** Page 1440, line 2: after that line insert:

6 “ad. A person sentenced on or after the effective date of this subd. 1. ad. [LRB
7 inserts date].”.

8 **771.** Page 1440, line 3: delete “a.” and substitute “am.”.

9 **772.** Page 1440, line 11: after that line insert:

10 “g. A person who is serving a sentence for an offense against an elderly or
11 vulnerable person, as defined in s. 939.22 (20d).

12 h. A person who is serving a sentence for an offense related to ethical
13 government, as defined in s. 939.22 (20m).

14 i. A person who is serving a sentence for an offense related to school safety, as
15 defined in s. 939.22 (20s).

16 j. A person who is serving a sentence for a felony murder under s. 940.03.

17 k. A person who is serving a sentence for a violation of s. 940.11 (1).

18 L. A person who is serving a sentence for a violation of s. 940.235.

19 m. A person who is serving a sentence for a violation of s. 940.32 (3).

20 n. A person who is serving a sentence for a violation of s. 941.21.

21 o. A person who is serving a sentence for a violation of s. 946.465.”.

22 **773.** Page 1440, line 12: delete the material beginning with “committed” and
23 ending with “date],” on line 13.

24 **774.** Page 1440, line 21: after that line insert:

1 “ad. A person sentenced on or after the effective date of this subd. 2. ad. [LRB
2 inserts date].”.

3 **775.** Page 1440, line 22: delete “a.” and substitute “am.”.

4 **776.** Page 1441, line 4: after that line insert:

5 “f. A person who is serving a sentence for an offense against an elderly or
6 vulnerable person, as defined in s. 939.22 (20d).

7 g. A person who is serving a sentence for an offense related to ethical
8 government, as defined in s. 939.22 (20m).

9 h. A person who is serving a sentence related school safety, as defined in s.
10 939.22 (20s).

11 i. A person who is serving a sentence for a felony murder under s. 940.03.

12 j. A person who is serving a sentence for a violation of s. 940.06.

13 k. A person who is serving a sentence for a violation of s. 940.302.

14 L. A person who is serving a sentence for a violation of s. 940.31 (1).

15 m. A person who is serving a sentence for a violation of s. 948.03 (2) (a).

16 n. A person who is serving a sentence for a violation of s. 948.40 (4) (a).”.

17 **777.** Page 1441, line 11: delete the material beginning with “or as modified”
18 and ending with “if applicable.” on line 12.

19 **778.** Page 1441, line 21: delete the material beginning with “or as modified”
20 and ending with “if applicable.” on line 22.

21 **779.** Page 1450, line 9: after that line insert:

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

23 **321.45 Military family financial aid. (1)** In this section:

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

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

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

9 **780.** Page 1450, line 17: delete lines 17 to 21.

10 **781.** Page 1459, line 23: delete the material beginning with “50” and ending
11 with “vehicles” on line 24 and substitute “vehicles, of a fleet size determined by the
12 department by rule,”.

13 **782.** Page 1461, line 23: after “rules” insert “specifying the minimum number
14 of vehicles that must be in a fleet for the fleet to be eligible for registration under this
15 section and”.

16 **783.** Page 1467, line 1: delete lines 1 to 10.

17 **784.** Page 1468, line 21: delete the material beginning with that line and
18 ending with page 1473, line 16.

19 **785.** Page 1477, line 3: delete the material beginning with that line and
20 ending with page 1478, line 15.

21 **786.** Page 1495, line 5: after that line insert:

22 “**SECTION 2963t.** 344.14 (2) (L) of the statutes is created to read:

1 (c) The policy satisfies, as of the date of motor vehicle operation, all
2 requirements specified in s. 344.33 (2) and (3).

3 **344.62 Motor vehicle liability insurance required. (1)** Except as provided
4 in s. 344.63, no person may operate a motor vehicle upon a highway in this state
5 unless the owner or operator of the vehicle has in effect a motor vehicle liability policy
6 with respect to the vehicle being operated.

7 **(2)** Except as provided in s. 344.63, no person may operate a motor vehicle upon
8 a highway in this state unless the person, while operating the vehicle, has in his or
9 her immediate possession proof that he or she is in compliance with sub. (1). The
10 operator of the motor vehicle shall display the proof required under this subsection
11 upon demand from any traffic officer.

12 **(3)** Nothing in this subchapter prohibits a person who violates this section from
13 also being subject to any provision in subchs. I to IV of this chapter.

14 **344.63 Exceptions to motor vehicle liability insurance requirement.**

15 **(1)** A person operating a motor vehicle is not subject to s. 344.62 if any of the
16 following apply:

17 (a) The owner or operator of the motor vehicle has in effect a bond with respect
18 to the vehicle that meets the requirements under s. 344.36 (1), including the filing
19 of the bond with the secretary, and the vehicle is being operated with the permission
20 of the person who filed the bond.

21 (b) The motor vehicle is insured as required by s. 121.53, 194.41, or 194.42 and
22 the vehicle is being operated by the owner or with the owner's permission.

23 (c) The motor vehicle is owned by a self-insurer holding a valid certificate of
24 self-insurance under s. 344.16, the self-insurer has made an agreement described
25 in s. 344.30 (4), and the vehicle is being operated with the owner's permission.

1 (d) The owner or operator of the motor vehicle has made a deposit of cash or
2 securities meeting the requirements specified in s. 344.37 (1) and the vehicle is being
3 operated by or with the permission of the person who made the deposit.

4 (e) The motor vehicle is subject to s. 344.51, 344.52, or 344.55.

5 (f) The motor vehicle is owned by or leased to the United States, this or another
6 state, or any county or municipality of this or another state, and the vehicle is being
7 operated with the owner's or lessee's permission.

8 **(2)** (a) The provisions of ss. 344.34 and 344.36 (2) and (3) shall apply with
9 respect to a bond filed with the secretary under sub. (1) (a).

10 (b) The provisions of s. 344.37 (2) shall apply with respect to a deposit made
11 with the secretary under sub. (1) (d). Any deposit received by the department under
12 sub. (1) (d) shall be maintained in an interest-bearing trust account. All deposits
13 received by the department under sub. (1) (d) shall be held for the benefit of the
14 depositors and potential claimants against the deposits and shall be applied only to
15 the payment of judgments and assignments relating to motor vehicle accidents,
16 following the procedure described in s. 344.20 (2).

17 **(3)** (a) Except as provided in par. (b), the secretary shall, upon request, consent
18 to the immediate cancellation of any bond filed under sub. (1) (a) or to the return of
19 any deposit of money or securities made under sub. (1) (d) if any of the following
20 apply:

21 1. The owner or operator of a motor vehicle provides proof satisfactory to the
22 department that the owner or operator has in effect a motor vehicle liability policy
23 with respect to the vehicle or provides proof that a different exception under sub. (1)
24 applies with respect to the vehicle.

1 2. The person on whose behalf the bond was filed or deposit made has died, has
2 become permanently incapacitated to operate a motor vehicle, or no longer
3 maintains a valid operator's license.

4 3. The person on whose behalf the bond was filed or deposit made no longer
5 owns any motor vehicle registered with the department.

6 (b) The secretary may not consent to the cancellation of any bond filed under
7 sub. (1) (a) or to the return of any deposit of money or securities made under sub. (1)
8 (d) if any action for damages upon the bond or deposit is then pending or any
9 judgment against the person, for which a claim may be made against the bond or
10 deposit, is then unsatisfied. If a judgment is in excess of the amounts specified in s.
11 344.33 (2), for purposes of this paragraph the judgment is considered satisfied when
12 payments in the amounts specified in s. 344.33 (2) have been made. An affidavit of
13 the applicant that the applicant satisfies the provisions of this paragraph is
14 sufficient for the department to consent to the cancellation of a bond or to return any
15 deposit, in the absence of evidence in the records of the department contradicting the
16 affidavit.

17 **344.64 Fraudulent, false, or invalid proof of insurance.** No person may
18 do any of the following for purposes of creating the appearance of satisfying the
19 requirements under s. 344.62 (2):

20 (1) Forge, falsify, counterfeit, or fraudulently alter any proof of insurance,
21 policy of insurance, or other insurance document, or possess any forged, falsified,
22 fictitious, counterfeit, or fraudulently altered proof of insurance, policy of insurance,
23 or other insurance document.

24 (2) Represent that any proof of insurance, policy of insurance, or other
25 insurance document is valid and in effect, knowing or having reason to believe that

1 the proof of insurance, policy of insurance, or other insurance document is not valid
2 or not in effect.

3 **344.65 Violations. (1)** (a) Any person who violates s. 344.62 (1) may be
4 required to forfeit not more than \$500.

5 (b) Except as provided in par. (c), any person who violates s. 344.62 (2) may be
6 required to forfeit \$10.

7 (c) No person charged with violating s. 344.62 (2) may be convicted if the person
8 produces proof that he or she was in compliance with s. 344.62 (1) at the time the
9 person was issued a uniform traffic citation for violating s. 344.62 (2). This proof may
10 be produced either at the time of the person's appearance in court in response to the
11 citation or in the office of the traffic officer issuing the citation.

12 **(2)** Any person who violates s. 344.64 may be required to forfeit not more than
13 \$5,000.

14 **(3)** A traffic officer may not stop or inspect a vehicle solely to determine
15 compliance with s. 344.62 or a local ordinance in conformity therewith. This
16 subsection does not limit the authority of a traffic officer to issue a citation for a
17 violation of s. 344.62 or a local ordinance in conformity therewith observed in the
18 course of a stop or inspection made for other purposes, except that a traffic officer
19 may not take a person into physical custody solely for a violation of s. 344.62 or a local
20 ordinance in conformity therewith.

21 **344.66 Rules.** The department shall promulgate rules, and prescribe any
22 necessary forms, to implement and administer this subchapter.

23 **344.67 Notice.** The department shall include with each operator's license
24 issued under ch. 343 notification of the requirements and penalties under this
25 subchapter.”.

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

2 **790.** Page 1497, line 6: delete lines 6 to 22.

3 **791.** Page 1503, line 15: delete lines 15 to 20.

4 **792.** Page 1538, line 1: after “chiropractor” insert “unless the claim for the
5 services related to the copayment, coinsurance, or deductible is reduced by an equal
6 amount”.

7 **793.** Page 1538, line 5: delete “and” and substitute “or”.

8 **794.** Page 1550, line 9: delete lines 9 to 12.

9 **795.** Page 1555, line 12: delete lines 12 to 15.

10 **796.** Page 1556, line 20: delete lines 20 to 23.

11 **797.** Page 1561, line 1: delete lines 1 to 4.

12 **798.** Page 1577, line 4: delete “\$10,000,000” and substitute “\$5,000,000”.

13 **799.** Page 1589, line 14: delete lines 14 to 18.

14 **800.** Page 1591, line 21: delete lines 21 to 25.

15 **801.** Page 1591, line 25: after that line insert:

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

17 **560.799 (5m)** ADDITIONAL TAX BENEFITS FOR SIGNIFICANT CAPITAL EXPENDITURES.

18 If the department determines that a business certified under sub. (5) makes a
19 significant capital expenditure in the enterprise zone, the department may certify
20 the business to receive additional tax benefits in an amount to be determined by the
21 department, but not exceeding 10 percent of the business’ capital expenditures. The
22 department shall, in a manner determined by the department, allocate the tax

1 benefits a business is certified to receive under this subsection over the remainder
2 of the time limit of the enterprise zone under sub. (4).

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

4 560.799 (6) (g) 3. The definition of “significant capital expenditure” for purposes
5 of sub. (5m).”.

6 **802.** Page 1592, line 8: delete lines 8 to 12.

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

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

9 **805.** Page 1594, line 2: delete “632.895 (14m)” and substitute “632.885”.

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

11 **807.** Page 1596, line 2: delete lines 2 to 8.

12 **808.** Page 1602, line 12: after “accident” insert “, except that a policy may
13 limit the number of motor vehicles for which the limits for coverage may be added
14 to 3 vehicles”.

15 **809.** Page 1602, line 20: after “insured” insert “, except that a policy may limit
16 the number of motor vehicles for which coverage limits may be added to 3 vehicles”.

17 **810.** Page 1603, line 2: after “insured” insert “, except that a policy may limit
18 the number of motor vehicles for which medical payments coverage limits may be
19 added to 3 vehicles”.

20 **811.** Page 1603, line 14: delete lines 14 to 20.

21 **812.** Page 1603, line 20: after that line insert:

22 “**SECTION 3172k.** 632.355 of the statutes is created to read:

1 **632.355 Prohibited bases for assessing risk.** In issuing or renewing a
2 motor vehicle insurance policy, an insurer may not do any of the following:

3 **(1)** Place the applicant or insured in a high-risk category on the basis that the
4 applicant or insured has not previously had motor vehicle insurance.

5 **(2)** Assess the applicant’s or insured’s risk on the basis of the city, village, town,
6 or county in which the insured motor vehicle is customarily kept.”.

7 **813.** Page 1614, line 14: after that line insert:

8 “**SECTION 3197p.** 632.885 of the statutes is created to read:

9 **632.885 Coverage of dependents. (1) DEFINITIONS.** In this section:

10 (a) “Disability insurance policy” has the meaning given in s. 632.895 (1) (a).

11 (b) “Insured” includes an enrollee.

12 (c) “Self-insured health plan” has the meaning given in s. 632.745 (24).

13 **(2) REQUIREMENT TO OFFER DEPENDENT COVERAGE.** (a) Subject to ss. 632.88 and
14 632.895 (5), every insurer that issues a disability insurance policy, and every
15 self-insured health plan, shall offer and, if so requested by an applicant or an
16 insured, provide coverage for an adult child of the applicant or insured as a
17 dependent of the applicant or insured if the child satisfies all of the following criteria:

18 1. The child is over 17 but less than 27 years of age.

19 2. The child is not married.

20 3. The child is not eligible for coverage under a group health benefit plan, as
21 defined in s. 632.745 (9), that is offered by the child’s employer and for which the
22 amount of the child’s premium contribution is no greater than the premium amount
23 for his or her coverage as a dependent under this section.

1 (b) Notwithstanding par. (a) 1., the coverage requirement under this section
2 applies to an adult child who satisfies all of the following criteria:

3 1. The child is a full-time student, regardless of age.

4 2. The child satisfies the criteria under par. (a) 2. and 3.

5 3. The child was called to federal active duty in the national guard or in a
6 reserve component of the U.S. armed forces while the child was attending, on a
7 full-time basis, an institution of higher education.

8 4. The child was under the age of 27 years when called to federal active duty
9 under subd. 3.

10 **(3) PREMIUM DETERMINATION.** An insurer or self-insured health plan shall
11 determine the premium for coverage of a dependent who is over 18 years of age on
12 the same basis as the premium is determined for coverage of a dependent who is 18
13 years of age or younger.

14 **(4) DOCUMENTATION OF CRITERIA SATISFACTION.** An insurer or self-insured health
15 plan may require that an applicant or insured seeking coverage of a dependent child
16 provide written documentation, initially and annually thereafter, that the
17 dependent child satisfies the criteria for coverage under this section.”.

18 **814.** Page 1615, line 12: before “therapy” insert “evidence-based”.

19 **815.** Page 1615, line 15: before “therapy” insert “evidence-based”.

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

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

22 **818.** Page 1617, line 21: delete the material beginning with that line and
23 ending with page 1618, line 9, and substitute:

24 **“SECTION 3198b.** 632.895 (15) (a) of the statutes is amended to read:

1 632.895 (15) (a) Subject to pars. (b) and (c), every disability insurance policy,
2 and every self-insured health plan of the state or a county, city, town, village, or
3 school district, that provides coverage for a person as a dependent of the insured
4 because the person is a full-time student, including the coverage under s. 632.885
5 (2) (b), shall continue to provide dependent coverage for the person if, due to a
6 medically necessary leave of absence, he or she ceases to be a full-time student.

7 **SECTION 3198c.** 632.895 (15) (c) 5. of the statutes is amended to read:

8 632.895 (15) (c) 5. The Except for a person who has coverage as a dependent
9 under s. 632.885 (2) (b), the person reaches the age at which coverage as a dependent
10 who is a full-time student would otherwise end under the terms and conditions of
11 the policy or plan.”.

12 **819.** Page 1637, line 15: after that line insert:

13 “**SECTION 3203m.** 757.05 (1) (a) of the statutes is amended to read:

14 757.05 (1) (a) Whenever a court imposes a fine or forfeiture for a violation of
15 state law or for a violation of a municipal or county ordinance except for a violation
16 of s. 101.123 (2) (a), (am) 1., (ar), (bm), (br), or (bv) or (5), for a financial responsibility
17 violation under s. 344.62 (2), or for a first violation of s. 23.33 (4c) (a) 2., 30.681 (1)
18 (b) 1., 346.63 (1) (b), or 350.101 (1) (b), if the person who committed the violation had
19 a blood alcohol concentration of 0.08 or more but less than 0.1 at the time of the
20 violation, or for a violation of state laws or municipal or county ordinances involving
21 nonmoving traffic violations, violations under s. 343.51 (1m) (b), or safety belt use
22 violations under s. 347.48 (2m), there shall be imposed in addition a penalty
23 surcharge under ch. 814 in an amount of 26 percent of the fine or forfeiture imposed.
24 If multiple offenses are involved, the penalty surcharge shall be based upon the total

1 fine or forfeiture for all offenses. When a fine or forfeiture is suspended in whole or
2 in part, the penalty surcharge shall be reduced in proportion to the suspension.”.

3 **820.** Page 1638, line 1: before that line insert:

4 “SECTION 3205r. 765.08 (2) of the statutes is amended to read:

5 765.08 (2) The county clerk may, at his or her discretion, issue a marriage
6 license within less than 5 days after application if the applicant pays an additional
7 fee of not more than \$10 \$25 to cover any increased processing cost incurred by the
8 county. The county clerk shall pay this fee into the county treasury.”.

9 **821.** Page 1638, line 1: delete lines 1 to 16.

10 **822.** Page 1638, line 24: delete the material beginning with that line and
11 ending with page 1639, line 8.

12 **823.** Page 1639, line 16: delete the material beginning with that line and
13 ending with page 1641, line 20.

14 **824.** Page 1648, line 10: after that line insert:

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

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

17 799.41 (2) If the eviction seeks to remove a tenant whose tenancy is terminated
18 as the result of a foreclosure judgment and sale under s. 708.02, the complaint shall
19 identify the action as an eviction of the tenant due to a foreclosure action.”.

20 **825.** Page 1648, line 11: delete the material beginning with that line and
21 ending with page 1649, line 10.

22 **826.** Page 1649, line 18: after that line insert:

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

1 802.03 (9) FORECLOSURE. In an action for foreclosure of real property, the
2 complaint may not name a tenant of residential real property as a defendant unless
3 the tenant has a lien or ownership interest in the real property.”.

4 **827.** Page 1649, line 19: delete the material beginning with that line and
5 ending with page 1650, line 2.

6 **828.** Page 1651, line 9: delete lines 9 to 21.

7 **829.** Page 1651, line 25: delete “~~relief funded by a relief block grant~~” and
8 substitute “relief funded by a relief block grant”.

9 **830.** Page 1652, line 1: delete “~~under ch. 49,~~” and substitute “under ch. 49,”.

10 **831.** Page 1652, line 5: delete lines 5 to 10.

11 **832.** Page 1652, line 10: after that line insert:

12 “**SECTION 3233c.** 814.63 (1) (c) of the statutes is amended to read:

13 814.63 (1) (c) This subsection does not apply to an action for a violation of s.
14 101.123 (2) (a), (am) 1., (ar), (bm), (br), or (bv) or (5), for a financial responsibility
15 violation under s. 344.62 (2), for a first violation of s. 23.33 (4c) (a) 2., 30.681 (1) (b)
16 1., 346.63 (1) (b), or 350.101 (1) (b), if the person who committed the violation had a
17 blood alcohol concentration of 0.08 or more but less than 0.1 at the time of the
18 violation, or for a violation under s. 343.51 (1m) (b) or a safety belt use violation under
19 s. 347.48 (2m).

20 **SECTION 3233e.** 814.63 (2) of the statutes is amended to read:

21 814.63 (2) Upon the disposition of a forfeiture action in circuit court for
22 violation of a county, town, city, village, town sanitary district or public inland lake
23 protection and rehabilitation district ordinance, except for an action for a first
24 violation of s. 23.33 (4c) (a) 2., 30.681 (1) (b) 1., 346.63 (1) (b), or 350.101 (1) (b), if the

1 person who committed the violation had a blood alcohol concentration of 0.08 or more
2 but less than 0.1 at the time of the violation, for a financial responsibility violation
3 under s. 344.62 (2), or for a violation under s. 343.51 (1m) (b) or a safety belt use
4 violation under s. 347.48 (2m), the county, town, city, village, town sanitary district
5 or public inland lake protection and rehabilitation district shall pay a nonrefundable
6 fee of \$5 to the clerk of circuit court.

7 **SECTION 3233r.** 814.65 (1) of the statutes is amended to read:

8 814.65 (1) COURT COSTS. In a municipal court action, except for an action for
9 a first violation of s. 23.33 (4c) (a) 2., 30.681 (1) (b) 1., 346.63 (1) (b), or 350.101 (1)
10 (b), if the person who committed the violation had a blood alcohol concentration of
11 0.08 or more but less than 0.1 at the time of the violation, for a financial responsibility
12 violation under s. 344.62 (2), or for a violation of an ordinance in conformity with s.
13 343.51 (1m) (b) or 347.48 (2m), the municipal judge shall collect a fee of not less than
14 \$15 nor more than \$28 on each separate matter, whether it is on default of
15 appearance, a plea of guilty or no contest, on issuance of a warrant or summons, or
16 the action is tried as a contested matter. Of each fee received by the judge under this
17 subsection, the municipal treasurer shall pay monthly \$5 to the secretary of
18 administration for deposit in the general fund and shall retain the balance for the
19 use of the municipality.”.

20 **833.** Page 1652, line 10: after that line insert:

21 “**SECTION 3232r.** 814.61 (5) (intro.) of the statutes is amended to read:

22 814.61 (5) JUDGMENTS, WRITS, EXECUTIONS, LIENS, WARRANTS, AWARDS,
23 CERTIFICATES. (intro.) The clerk shall collect a fee of \$5 \$10 for the following:”.

24 **834.** Page 1653, line 5: after that line insert:

1 **“SECTION 3239m.** 814.85 (1) (a) of the statutes is amended to read:

2 814.85 **(1)** (a) Except for an action for a first violation of s. 23.33 (4c) (a) 2.,
3 30.681 (1) (b) 1., 346.63 (1) (b), or 350.101 (1) (b), if the person who committed the
4 violation had a blood alcohol concentration of 0.08 or more but less than 0.1 at the
5 time of the violation, for a financial responsibility violation under s. 344.62 (2), or for
6 a violation under s. 343.51 (1m) (b) or a safety belt use violation under s. 347.48 (2m),
7 the clerk of circuit court shall charge and collect a \$68 court support services
8 surcharge from any person, including any governmental unit as defined in s. 108.02
9 (17), paying a fee under s. 814.61 (1) (a), (3), or (8) (am) or 814.63 (1).”.

10 **835.** Page 1653, line 15: after that line insert:

11 **“SECTION 3240m.** 814.86 (1) of the statutes, as affected by 2009 Wisconsin Act
12 (this act), is amended to read:

13 814.86 **(1)** Except for an action for a first violation of s. 23.33 (4c) (a) 2., 30.681
14 (1) (b) 1., 346.63 (1) (b), or 350.101 (1) (b), if the person who committed the violation
15 had a blood alcohol concentration of 0.08 or more but less than 0.1 at the time of the
16 violation, for a financial responsibility violation under s. 344.62 (2), or for a violation
17 under s. 343.51 (1m) (b) or a safety belt use violation under s. 347.48 (2m), the clerk
18 of circuit court shall charge and collect a \$21.50 justice information system surcharge
19 from any person, including any governmental unit, as defined in s. 108.02 (17),
20 paying a fee under s. 814.61 (1) (a), (3), or (8) (am), 814.62 (1), (2), or (3) (a) or (b), or
21 814.63 (1). The justice information system surcharge is in addition to the surcharge
22 listed in sub. (1m).”.

23 **836.** Page 1654, line 12: after that line insert:

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

3 846.35 (6) PENALTIES. If a plaintiff fails to provide a notice under par. (a) in
4 accordance with pars. (a) and (b), or fails to comply with sub. (5). the court shall
5 award the tenant to whom the notice should have been given or who should not have
6 named as a defendant \$250 in damages, plus reasonable attorney fees. A tenant may
7 not recover under this paragraph for more than one notice violation.

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

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

11 846.35 (5) TENANT NOT NAMED IN COMPLAINT. In an action for foreclosure of
12 residential real property, the complaint may not name a tenant as a defendant unless
13 the tenant has a lien or ownership interest in the real property.”.

14 **837.** Page 1666, line 7: delete the material beginning with that line and
15 ending with page 1667, line 3.

16 **838.** Page 1668, line 25: delete the material beginning with that line and
17 ending with page 1669, line 6.

18 **839.** Page 1698, line 11: after that line insert:

19 “**SECTION 3334p.** 938.48 (8p) of the statutes is created to read:

20 938.48 (8p) INDIAN JUVENILE PLACEMENTS. Reimburse tribes and county
21 departments, from the appropriation under s. 20.410 (1) (kp), for unexpected or
22 unusually high-cost out-of-home care placements of Indian juveniles who have
23 been adjudicated delinquent. In this subsection, “unusually high-cost out-of-home
24 care placements” means the amount by which the cost to a tribe or to a county

1 department of out-of-home care placements of Indian juveniles who have been
2 adjudicated delinquent exceeds \$50,000 in a fiscal year.”.

3 **840.** Page 1699, line 22: after that line insert:

4 “**SECTION 3339L.** 939.22 (20d) of the statutes is created to read:

5 939.22 **(20d)** “Offense against an elderly or vulnerable person” means a
6 violation of s. 940.285 (2) (a) that caused death, great bodily harm, or bodily harm
7 to the victim or s. 940.295 (3) (b) that caused death, great bodily harm, or bodily harm
8 to the victim.

9 **SECTION 3339n.** 939.22 (20m) of the statutes is created to read:

10 939.22 **(20m)** “Offense related to ethical government” means a violation of s.
11 13.69 (6m), 19.58 (1) (b), or 946.12.

12 **SECTION 3339p.** 939.22 (20s) of the statutes is created to read:

13 939.22 **(20s)** “Offense related to school safety” means a violation of s. 948.605
14 or 948.61 (2) (b).”.

15 **841.** Page 1701, line 23: after that line insert:

16 “**SECTION 3350d.** 946.13 (12) (b) 2. a. of the statutes is amended to read:

17 946.13 **(12)** (b) 2. a. The contract together with all other contracts between the
18 same parties require less than \$75,000 \$250,000 in payments over a ~~24-month~~
19 24-month period.

20 **SECTION 3350m.** 946.13 (12) (b) 2. b. of the statutes is repealed and recreated
21 to read:

22 946.13 **(12)** (b) 2. b. The University of Wisconsin System submits the contract
23 to the University of Wisconsin Board of Regents and, within 45 days, the University

1 of Wisconsin Board of Regents does not notify the University of Wisconsin System
2 that entering the contract would constitute a violation of sub. (1).

3 **SECTION 3350s.** 946.13 (12) (d) of the statutes is repealed.”.

4 **842.** Page 1704, line 11: delete lines 11 to 17.

5 **843.** Page 1704, line 18: delete lines 18 to 23.

6 **844.** Page 1708, line 16: after “more” insert “than”.

7 **845.** Page 1708, line 23: delete the material beginning with “When” and
8 ending with “applying” on page 1709, line 1, and substitute “The department shall
9 apply to every person serving a sentence imposed under sub. (1)”.

10 **846.** Page 1709, line 2: delete “research,” and substitute “research to”.

11 **847.** Page 1709, line 5: after that line insert:

12 “(c) This subsection does not apply to a person sentenced on or after the effective
13 date of this paragraph [LRB inserts date].”.

14 **848.** Page 1709, line 18: after “justice.” insert: “This subsection does not apply
15 if the court sentences a person for a violation of s. 940.03, 940.06, 940.11 (1), 940.235,
16 940.302, 940.31 (1), 940.32 (3), 941.21, 946.465, 948.03 (2) (a), or 948.40 (4) (a) or for
17 an offense against an elderly or vulnerable person, as defined in s. 939.22 (20d), an
18 offense related to ethical government, as defined in s. 939.22 (20m), or an offense
19 related to school safety, as defined in s. 939.22 (20s).”.

20 **849.** Page 1709, line 19: delete “shall notify shall notify” and substitute “shall
21 notify”.

22 **850.** Page 1711, line 12: delete “that” and substitute “, if the person has, in
23 his or her lifetime, been convicted of a prior felony offense, or if the felony”.

1 **851.** Page 1711, line 13: delete “that”.

2 **852.** Page 1711, line 14: delete “that” and substitute “, if the person has, in
3 his or her lifetime, been convicted of a prior felony offense, or if the felony”.

4 **853.** Page 1711, line 15: delete “that”.

5 **854.** Page 1712, line 7: after “(1).” insert: “This section does not apply if the
6 court sentences a person for a violation of s. 940.03, 940.06, 940.11 (1), 940.235,
7 940.302, 940.31 (1), 940.32 (3), 941.21, 946.465, 948.03 (2) (a), or 948.40 (4) (a) or for
8 a felony murder under s. 940.03, an offense against an elderly or vulnerable person,
9 as defined in s. 939.22 (20d), an offense related to ethical government, as defined in
10 s. 939.22 (20m), or an offense related to school safety, as defined in s. 939.22 (20s).”.

11 **855.** Page 1712, line 19: after that line insert:

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

14 973.045 **(2m)** (a) The secretary of administration shall credit to the
15 appropriation account under s. 20.455 (5) (gc) the first \$20 of part B of the crime
16 victim and witness surcharge.

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

21 **856.** Page 1717, line 23: delete “from”.

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

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

5 **858.** Page 1718, line 3: delete “shall”.

6 **859.** Page 1719, line 1: delete lines 1 and 2 and substitute:

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

11 **860.** Page 1719, line 4: delete “shall”.

12 **861.** Page 1719, line 19: after that line insert:

13 “**SECTION 3405ay.** 985.03 (1) (am) of the statutes is created to read:

14 985.03 **(1)** (am) Notwithstanding par. (a), a daily or weekly newspaper that is
15 published at least 50 weeks of each year in a county having a population of 500,000
16 or more, has been published continuously for the past 10 years, has had a continuous
17 circulation of at least 40,000 copies within the region for the past 10 years, as
18 documented by a nationally recognized auditing company, and has the majority of its
19 distribution within the county for which the legal notice is to be distributed, may be
20 awarded and shall be entitled to any compensation or fee for the publishing of any
21 legal notice.”.

22 **862.** Page 1720, line 6: delete “county” and substitute “region”.

23 **863.** Page 1720, line 9: delete the material beginning with that line and
24 ending with page 1721, line 1.

1 **864.** Page 1731, line 6: delete “state operations”.

2 **865.** Page 1734, line 11: increase the dollar amount by \$20,700,000.

3 **866.** Page 1735, line 15: delete “ASSISTANCE FEE.” and substitute “ASSISTANCE.”.

4 **867.** Page 1735, line 19: after that line insert:

5 “2m. “Federal economic stimulus funds” means federal moneys received by the
6 state, pursuant to federal legislation enacted during the 111th Congress for the
7 purpose of reviving the economy of the United States.”.

8 **868.** Page 1735, line 21: after that line insert:

9 “3m. “Stimulus portion” means the portion of moneys received under 42 USC
10 6861 to 6873 and 42 USC 8621 to 8629 in a fiscal year that is attributable to, as
11 determined by the secretary of administration, the federal economic stimulus funds
12 received in that fiscal year.”.

13 **869.** Page 1736, line 3: after that line insert:

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

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

22 **870.** Page 1742, line 23: after that line insert:

1 “(13f) RESTORATIVE JUSTICE GRANT. From the appropriation to the department
2 of administration under section 20.505 (6) (br), as created by this act, the office of
3 justice assistance shall award \$50,000 to Restorative Justice Programs, Inc., in the
4 first fiscal year of the fiscal biennium in which this subsection takes effect for
5 restorative justice programs.”.

6 **871.** Page 1743, line 15: after that line insert:

7 “(1f) SOIL AND WATER MANAGEMENT FUNDING. Notwithstanding section 16.42 (1)
8 (e) of the statutes, in submitting information under section 16.42 of the statutes for
9 the purposes of the 2011–13 biennial budget bill, the department of agriculture,
10 trade and consumer protection shall submit information concerning the
11 appropriation under section 20.115 (7) (qf) of the statutes as though the amount
12 appropriated for the 2010–11 fiscal year had been \$308,000 more than was actually
13 appropriated.”.

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

16 **873.** Page 1754, line 3: delete lines 3 and 4 and adjust the appropriate totals
17 accordingly.

18 **874.** Page 1756, line 7: delete lines 7 and 8 and adjust the appropriate totals
19 accordingly.

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

21 **876.** Page 1774, line 19: after that line insert:

22 “(26q) SCHOOL OF NURSING AT UNIVERSITY OF WISCONSIN–MADISON. From the
23 appropriation under section 20.867 (2) (r) of the statutes, the building commission
24 shall allocate \$2,004,000 to conduct planning for a School of Nursing facility to be

1 constructed at the University of Wisconsin–Madison in preparation for possible
2 enumeration of the facility in the 2011–13 Authorized State Building Program. If the
3 Board of Regents of the University of Wisconsin System allocates \$1,002,000 from
4 the appropriation under section 20.285 (1) (j) of the statutes for the same purpose,
5 the building commission shall also use those moneys for planning of the facility.”.

6 **877.** Page 1774, line 19: after that line insert:

7 “(25f) STUDY OF EXPANDING ACCESS TO DENTAL EDUCATION. From the appropriation
8 under section 20.867 (2) (q) of the statutes, the Building Commission shall allocate
9 \$500,000 to conduct a study of the state’s role in expanding access to dental education
10 with a particular emphasis on increasing dental care in rural and underserved areas,
11 including an examination of the possibility of construction of a new dental school in
12 the city of Marshfield.”.

13 **878.** Page 1776, line 10: delete that line and substitute “by this act, beginning
14 on the date specified in the notice under section 48.62 (9) of the statutes, as created
15 by this act, a person who on the day before that date is”.

16 **879.** Page 1776, line 14: delete “2007 stats., and” and substitute “2007 stats.”.

17 **880.** Page 1776, line 15: delete lines 15 to 22 and substitute “Beginning on the
18 date specified in the notice under section 48.62 (9) of the statutes, as created by this
19 act, the”.

20 **881.** Page 1779, line 10: after that line insert:

21 “(6f) BILL OF RIGHTS FOR FOSTER CHILDREN. Notwithstanding section 48.648 (2)
22 of the statutes, as created by this act, by no later than the first day of the 3rd month
23 beginning after the effective date of this subsection, the department of children and
24 families, a county department of human services or social services, or a licensed child

1 welfare agency shall provide a written copy of the foster children’s bill of rights to all
2 children who on the day before the effective date of this subsection were in a foster
3 home placement under the care and placement responsibility of that department,
4 county department, or child welfare agency.”.

5 **882.** Page 1779, line 14: delete “48.658” and substitute “48.659”.

6 **883.** Page 1780, line 18: delete “48.658” and substitute “48.659”.

7 **884.** Page 1795, line 21: after that line insert:

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

19 **885.** Page 1795, line 22: before that line insert:

20 “(17q) GRANT TO PLEASANT PRAIRIE TECHNOLOGY INCUBATOR CENTER. In the
21 2011–13 fiscal biennium, but not later than July 31, 2011, from the appropriation
22 under section 20.143 (1) (c) of the statutes, as affected by this act, the department of
23 commerce shall award to Pleasant Prairie Technology Incubator Center a grant of
24 \$700,000, if Pleasant Prairie Technology Incubator Center obtains at least an

1 additional \$700,000 in funding from sources other than the state and enters into a
2 written agreement with the department of commerce that does all of the following:

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

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

8 **886.** Page 1795, line 22: before that line insert:

9 “(18f) REGION ONE DEVELOPMENT MANAGER. Not later than October 1, 2009, the
10 department of commerce shall fill the position of region one development manager.”.

11 **887.** Page 1800, line 6: after that line insert:

12 “(6x) AGENCY REQUEST RELATING TO GENERAL PROGRAM OPERATIONS.
13 Notwithstanding section 16.42 (1) (e) of the statutes, in submitting information
14 under section 16.42 of the statutes for the purpose of the 2011–13 biennial budget
15 bill, the department of administration shall submit information concerning the
16 appropriation under section 20.475 (1) (d) of the statutes, as though the amounts
17 appropriated to the department under that appropriation for fiscal year 2010–11
18 were \$9,139,700 more than the amounts in the schedule.”.

19 **888.** Page 1800, line 10: delete lines 10 to 16.

20 **889.** Page 1801, line 12: delete lines 12 to 21.

21 **890.** Page 1805, line 19: delete “county health department” and substitute
22 “county department of human services”.

23 **891.** Page 1806, line 17: after that line insert:

1 “(cq) For services under section 49.45 (30r) of the statutes, as created by this
2 act, the department of health services shall calculate the portion of the payment that
3 is not provided by the federal government, and that the county shall provide, using
4 the federal Medical Assistance percentage that is applicable when the service is
5 provided.”.

6 **892.** Page 1807, line 18: after that line insert:

7 “(4q) FAMILY CARE EXPANSION TO LANGLADE COUNTY. (a) The department of
8 health services shall contract with an entity to provide the services under section
9 46.283 (3) of the statutes and section 46.283 (4) of the statutes, as affected by this act,
10 as a resource center such that services of a resource center are available to residents
11 of Langlade County on May 1, 2010.

12 (b) The department of health services shall contract with an entity as provided
13 under section 46.284 (2) of the statutes to administer the family care benefit as a care
14 management organization such that the family care benefit is available to residents
15 of Langlade County on July 1, 2010.”.

16 **893.** Page 1808, line 13: after that line insert:

17 “(5x) DENTAL HEALTH CLINIC GRANT. From the appropriation to the department
18 of health services under section 20.435 (1) (dj) of the statutes, as created by this act,
19 the department of health services shall award a grant to Milwaukee Health Services
20 Incorporated for dental services and equipment at a clinic having an address with
21 the zip code 53218.”.

22 **894.** Page 1811, line 18: after that line insert:

23 “(6q) GRANT FOR HIV INFECTION SERVICES. From the appropriation account
24 under section 20.435 (1) (ma) of the statutes, as created by this act, the department

1 of health services shall provide to the Black Health Coalition of Wisconsin, Inc.,
2 \$100,000 in the first fiscal year of the fiscal biennium in which this subsection takes
3 effect as a grant to provide human immunodeficiency virus infection outreach,
4 education, referral, and other services.”.

5 **895.** Page 1813, line 9: delete lines 9 to 25.

6 **896.** Page 1815, line 2: delete “1.” and substitute “5.”.

7 **897.** 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 **898.** Page 1815, line 6: after that line insert:

2 “(12u) EMPLOYMENT AND TRAINING ACTIVITIES. The department of health services
3 shall work with Portage, Adams, Wood, and Milwaukee counties to modify the
4 employment and training program under section 49.79 (9) of the statutes in those
5 counties for the purpose of increasing the amount of federal funding that the state
6 receives under the program.”.

7 **899.** Page 1815, line 11: after that line insert:

8 “(1f) GRANT TO HOUSEHOLD ABUSE VICTIMS EMERGENCY NETWORK OF THE CITY OF
9 MERRILL. Notwithstanding section 234.165 (2) (c) (intro.) of the statutes, the
10 Wisconsin Housing and Economic Development Authority shall pay, in fiscal year
11 2009–10, a grant in the amount of \$25,000 from its actual surplus under section
12 234.165 of the statutes and, in fiscal year 2010–11, a grant in the amount of \$25,000
13 from its actual surplus under section 234.165 of the statutes to the Household Abuse
14 Victims Emergency Network of the city of Merrill for the purpose of renovating a
15 domestic abuse shelter serving Langlade, Lincoln, Taylor, Vilas, and Oneida
16 counties.”.

17 **900.** Page 1816, line 5: delete “legislative audit bureau shall” and substitute
18 “joint legislative audit committee is requested to direct the legislative audit bureau
19 to”.

20 **901.** Page 1816, line 7: delete “The audit” and substitute “If the committee
21 directs the legislative audit bureau to conduct the audit, the audit”.

22 **902.** Page 1816, line 17: delete “legislative audit bureau shall” and substitute
23 “joint legislative audit committee is requested to direct the legislative audit bureau
24 to”.

1 **903.** Page 1816, line 19: delete “The audit” and substitute “If the committee
2 directs the legislative audit bureau to conduct the audit, the audit”.

3 **904.** Page 1816, line 21: delete “The audit” and substitute “If conducted, the
4 audit”.

5 **905.** Page 1816, line 23: delete lines 23 to 25 and substitute:

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

9 **906.** Page 1816, line 25: after that line insert:

10 “(2g) PENSION STUDY. The joint survey committee on retirement systems is
11 requested to study the impact of increasing the initial amount of the normal form
12 annuity under section 40.23 (2m) (b) of the statues from 65 percent to 70 percent of
13 the participant’s final average earnings for participants whose formula rate is
14 determined under section 40.23 (2m) (e) 3. of the statutes and to report its findings
15 to the legislature before July 1, 2010.”.

16 **907.** Page 1816, line 25: after that line insert:

17 “(3q) OUT-OF-STATE TRAVEL BY EMPLOYEES OF LEGISLATIVE SERVICE AGENCIES.
18 During the 2009–11 fiscal biennium, no employee of the legislative reference bureau,
19 the legislative fiscal bureau, the legislative audit bureau, the legislative technology
20 services bureau, and the legislative council staff may be reimbursed for any
21 out-of-state travel expenses without the written approval of the senate committee
22 on organization and the speaker of the assembly.”.

23 **908.** 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 **909.** Page 1818, line 19: after that line insert:

12 “(2i) REPORT ON CONCENTRATED ANIMAL FEEDING OPERATION FEES. The standing
13 committee of each house of the legislature with jurisdiction over agricultural matters
14 shall report to the presiding officer of each house of the legislature in the manner
15 provided under section 13.172 (2) of the statutes, no later than July 1, 2010,
16 recommendations for legislation imposing fees on a person who applies for a permit
17 under section 283.31 of the statutes for a concentrated animal feeding operation.”.

18 **910.** Page 1819, line 5: delete lines 5 to 12.

19 **911.** Page 1819, line 18: delete lines 18 to 24.

20 **912.** Page 1821, line 3: delete lines 3 to 7.

21 **913.** Page 1821, line 8: delete lines 8 to 12.

22 **914.** Page 1821, line 12: after that line insert:

23 “(6f) FIRE SUPPRESSION GRANT. From the appropriation under section 20.370 (5)
24 (by) of the statutes, the department of natural resources in fiscal year 2009–10 shall

1 award a grant of \$108,000 under the fire suppression aid program established under
2 section 26.145 of the statutes to the village of Plum City for the Plum City–Township
3 of Union Fire Department. Notwithstanding section 26.145 (1) of the statutes, the
4 village of Plum City need not provide any matching funding or in–kind contributions.
5 Notwithstanding section 26.145 (2) (b) of the statutes, the village of Plum City need
6 not have entered an agreement with the department of natural resources to assist
7 the department in suppression of forest fires.”.

8 **915.** Page 1821, line 12: after that line insert:

9 “(6i) LAKE KOSHKONONG STUDY. In fiscal year 2009–10, the department shall
10 provide a grant of \$100,000 from the appropriations under section 20.370 (6) (ac) of
11 the statutes, as created by this act, and section 20.370 (6) (dq) of the statutes, as
12 affected by this act, to the Rock–Koshkonong public inland lake protection and
13 rehabilitation district for a comprehensive study of options and structures to
14 preserve wetlands, shoreline, fish and wildlife habitat, and the navigability of Lake
15 Koshkonong.”.

16 **916.** Page 1821, line 12: after that line insert:

17 “(6x) SNOWMOBILE RAIL CROSSING. From the appropriation under section 20.370
18 (3) (aq) of the statutes, as affected by this act, the department of natural resources
19 shall provide \$10,000 in fiscal year 2009–10 to Oneida County for a snowmobile rail
20 crossing project located on STH 47 in Oneida County.”.

21 **917.** Page 1821, line 12: after that line insert:

22 “(6q) POSITIONS AT SERVICE CENTERS. The authorized FTE positions for the
23 department of natural resources are increased by 1.26 FED positions on April 1,
24 2010, to be funded from the appropriation under section 20.370 (9) (mz) of the

1 statutes, for the purpose of staffing walk-in service centers operated by the
2 department of natural resources.”.

3 **918.** Page 1821, line 15: after “BIENNIUM.” insert “(a)”.

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

5 **920.** Page 1821, line 21: after that line insert:

6 “(b) Notwithstanding section 121.08 of the statutes, in calculating the net
7 general school aid payment for each school district in the 2009–10 and 2010–11 fiscal
8 years, the department of public instruction shall run the school aid formula twice,
9 the 2nd time as if an additional \$147,001,900 were appropriated in each fiscal year
10 under section 20.255 (2) (ac) of the statutes, as affected by this act, and section 20.255
11 (2) (p) of the statutes, as created by 2009 Wisconsin Act 11. For each school district,
12 the department shall compute the percentage reduction in general school aid under
13 the first aid run as compared to the 2nd aid run. The department shall then make
14 the following adjustments to the net general school aid calculated under the first aid
15 run for the following described school districts:

16 1. For each school district that satisfies the following criteria, the department
17 shall multiply its net general school aid payment, as determined using the 2nd aid
18 run, by 10 percent, and reduce the school district’s net general school aid payment
19 under the first aid run by the result:

20 a. The school district’s percentage reduction in general school aid under
21 paragraph (b) (intro.) is between 0.0 percent and 0.9 percent.

22 b. The school district’s equalized valuation per member is greater than the
23 statewide average equalized valuation per member.

1 c. Less than 35 percent of the school district's membership is eligible for a free
2 or reduced-price lunch under 42 USC 1758 (b).

3 2. The department shall determine the total amount of net general school aid
4 reductions for all school districts under subdivision 1. and distribute that amount to
5 school districts for which the percentage reduction in general school aid under
6 paragraph (b) (intro.) is greater than 10 percent by decreasing each such school
7 district's percentage of aid reduction in the following manner:

8 a. List those school districts in descending order of percentage of aid reduction
9 under paragraph (b) (intro.).

10 b. Decrease the percentage of aid reduction of the school district with the
11 greatest percentage of aid reduction to that of the school district with the 2nd
12 greatest percentage of aid reduction.

13 c. If there are sufficient funds, decrease the percentage of aid reduction of the
14 2 school districts under subdivision 2. b., which now have identical percentages of aid
15 reduction, to that of the school district with the 3rd greatest percentage of aid
16 reduction.

17 d. Continue down the list of school districts, decreasing the percentage of aid
18 reduction of the school districts with the greatest percentage of aid reduction to that
19 of the school district with the next greatest percentage of aid reduction until the total
20 amount to be distributed to school districts under this subdivision is depleted. If the
21 total amount to be distributed is insufficient to complete any individual reduction,
22 the department shall nevertheless decrease the percentage of aid reduction of the
23 school districts with the greatest percentage of aid reduction to as close as possible
24 to that of the school district with the next greatest percentage of aid reduction.

1 (2c) ENVIRONMENTAL EDUCATION CONSULTANT. The authorized FTE positions for
2 the department of public instruction are increased by 1.0 SEG position, to be funded
3 from the appropriation under section 20.255 (1) (q) of the statutes, as created by this
4 act, for an environmental education consultant.”.

5 **921.** Page 1822, line 6: after that line insert:

6 “(2q) OPEN ENROLLMENT PROGRAM; LIMITS. Notwithstanding section 118.51 (16)
7 of the statutes, no school district located in whole or in part in Milwaukee County
8 may receive more in additional state aid in the 2009–10 school year as a result of
9 accepting pupils who reside in the Milwaukee Public Schools under the open
10 enrollment program than the school district received in additional state aid in the
11 2008–09 school year as a result of accepting pupils who reside in the Milwaukee
12 Public Schools under the open enrollment program.”.

13 **922.** Page 1824, line 4: after that line insert:

14 “(7u) FIRST CLASS CITY SCHOOL DISTRICT; CONSTRUCTION PROJECTS. The board of
15 school directors in charge of the public schools of a 1st class city shall ensure that at
16 least 30 percent of the number of full–time equivalent employees hired to work on
17 school district construction projects funded in whole or in part with federal economic
18 stimulus funds, as defined in s. 16.705 (9) (a) of the statutes, as created by this act,
19 or by a federal interest rate subsidy on bonds, reside within the community
20 development block grant area located in the 1st class city, as determined by the board
21 of school directors.”.

22 **923.** Page 1824, line 4: after that line insert:

23 “(9i) SCHOOL DISTRICT GRANTS. From the appropriation under section 20.255 (2)
24 (de) of the statutes, as created by this act, in the 2009–10 fiscal year the department

1 of public instruction shall pay \$60,000 to each of the following school districts for the
2 specified purposes:

3 (a) Pepin Area, for technology improvements and technology to install a
4 distance learning lab.

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

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

8 **924.** Page 1824, line 7: after that line insert:

9 “(1j) INITIAL MEMBERS OF 911 COUNCIL. Notwithstanding the length of terms
10 specified for the members of the 911 council under section 15.793 (1) (a) of the
11 statutes, as created by this act, the initial members shall be appointed for the
12 following terms:

13 (a) The members specified under section 15.793 (1) (a) 1., 2., 3., and 4. of the
14 statutes, as created by this act, and one member specified under section 15.793 (1)
15 (a) 5. of the statutes, as created by this act, for terms expiring on July 1, 2013.

16 (b) One member specified under section 15.793 (1) (a) 5. of the statutes, as
17 created by this act, one member specified under section 15.793 (1) (a) 7. of the
18 statutes, as created by this act, and the members specified under section 15.793 (1)
19 (a) 6., 8., and 9. of the statutes, as created by this act, for terms expiring on July 1,
20 2014.

21 (c) One member specified under section 15.793 (1) (a) 7. of the statutes, as
22 created by this act, and the members specified under section 15.793 (1) (a) 10., 11.,
23 12., and 13. of the statutes, as created by this act, for terms expiring on July 1, 2015.

1 (2j) ENHANCED 911 PROGRAM POSITION. The authorized FTE positions for the
2 public service commission are increased by 1.0 SEG position, to be funded from the
3 appropriation under section 20.155 (3) (r) of the statutes, as created by this act, for
4 the purpose of administering the requirements of section 256.35 (3g) of the statutes,
5 as created by this act.”.

6 **925.** Page 1825, line 17: delete lines 17 to 24.

7 **926.** Page 1825, line 25: after that line insert:

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

19 **927.** Page 1826, line 12: delete “2010”.

20 **928.** Page 1826, line 13: delete “2010”.

21 **929.** Page 1826, line 14: after “payment” insert “received in 2009”.

22 **930.** Page 1828, line 6: after that line insert:

23 “(c) *Initial terms of Chippewa Valley regional transit authority.*
24 Notwithstanding the length of terms specified for members of the board of directors

1 of the Chippewa Valley regional transit authority under section 66.1039 (2) (c) and
2 (3) (a) of the statutes, as created by this act, the initial terms shall be 2 years for each
3 of the following:

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

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

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

10 **931.** Page 1828, line 6: after that line insert:

11 “(d) *Initial terms of Chequamegon Bay regional transit authority.*
12 Notwithstanding the length of terms specified for members of the board of directors
13 of the Chequamegon Bay regional transit authority under section 66.1039 (2) (e) and
14 (3) (a) of the statutes, as created by this act, the initial terms shall be 2 years for each
15 of the following:

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

18 2. Each of the members appointed under section 66.1039 (3) (f) 1. c. of the
19 statutes, as created by this act.”.

20 **932.** Page 1831, line 15: delete “KRM” and substitute “SOUTHEASTERN
21 REGIONAL TRANSIT”.

22 **933.** Page 1831, line 16: delete “KRM” and substitute “southeastern regional
23 transit”.

1 **934.** Page 1832, line 6: after “resources.” insert “In preparing this discussion,
2 the department of transportation shall allow and consider public comment on each
3 scenario.”.

4 **935.** Page 1833, line 14: delete “\$69,856,100” and substitute “\$102,356,100”.

5 **936.** Page 1834, line 5: after that line insert:

6 “(10x) TRANSPORTATION ENHANCEMENTS GRANT TO DOUGLAS COUNTY. Prior to July
7 1, 2011, from the appropriation under section 20.395 (2) (nx) of the statutes, the
8 department of transportation shall award a grant under section 85.026 (2) of the
9 statutes to Douglas County for the addition of bicycle lanes to CTH “B.” The amount
10 of the grant awarded under this subsection shall be \$400,000 or 80 percent of the
11 total cost of the project, whichever is less. The department may not rescind the grant
12 under this subsection unless Douglas County informs the department that it does not
13 intend to go forward with the project.”.

14 **937.** Page 1834, line 5: after that line insert:

15 “(10g) EISNER AVENUE PROJECT IN SHEBOYGAN COUNTY. Notwithstanding
16 limitations on the amount and use of aids provided under section 86.31 of the
17 statutes, as affected by this act, or on eligibility requirements for receiving aids
18 under section 86.31 of the statutes, as affected by this act, the department of
19 transportation shall award a grant of \$500,000 in the 2009–11 fiscal biennium to the
20 city of Sheboygan in Sheboygan County for the rehabilitation of Eisner Avenue in
21 Sheboygan County if the city of Sheboygan and the town of Sheboygan in Sheboygan
22 County reach an agreement on the amount of funds to be contributed by each toward
23 the total local share of the project costs. Payment of the grant under this subsection
24 shall be made from the appropriation under section 20.395 (2) (ft) of the statutes

1 equally from funds allocated under section 86.31 (3m) of the statutes, as affected by
2 this act, and from funds allocated under section 86.31 (3r) of the statutes, as affected
3 by this act, and is in addition to the city of Sheboygan’s entitlement, as defined in
4 section 86.31 (1) (ar) of the statutes, to aids under section 86.31 of the statutes, as
5 affected by this act.”.

6 **938.** Page 1834, line 5: after that line insert:

7 “(11u) SHARED USE OF ADMINISTRATIVE FACILITIES IN OR NEAR CITY OF TOMAH.
8 During the 2009–11 fiscal biennium, the department of transportation shall consult
9 with the department of natural resources concerning the shared use of
10 administrative facilities used by the state traffic patrol and the department of
11 natural resources in or near the city of Tomah.”.

12 **939.** Page 1834, line 5: after that line insert:

13 “(11f) GRANT TO TOWN OF STOCKTON RAILROAD CROSSING IMPROVEMENTS. In the
14 2009–11 fiscal biennium, from the appropriation under section 20.395 (2) (gr) of the
15 statutes, as affected by this act, the department of transportation shall award a grant
16 of \$175,000 to the town of Stockton in Portage County for railroad crossing
17 improvements at the intersection of Old Highway 18 and the Canadian National
18 Railroad tracks.”.

19 **940.** Page 1834, line 5: after that line insert:

20 “(11v) RULE-MAKING FOR COMPULSORY FINANCIAL RESPONSIBILITY FOR MOTOR
21 VEHICLE OPERATION.

22 (a) The department of transportation shall submit in proposed form the rule
23 required under section 344.66 of the statutes, as created by this act, to the legislative

1 council staff under section 227.15 (1) of the statutes no later than the first day of the
2 9th month beginning after the effective date of this subsection.

3 (b) Using the procedure under section 227.24 of the statutes, the department
4 of transportation shall promulgate the rule described under section 344.66 of the
5 statutes, as created by this act, for the period before the permanent rule becomes
6 effective, but not to exceed the period authorized under section 227.24 (1) (c) and (2)
7 of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b), and (3) of the statutes,
8 the department of transportation is not required to provide evidence that
9 promulgating a rule under this subsection as an emergency rule is necessary for the
10 preservation of the public peace, health, safety, or welfare and is not required to
11 provide a finding of emergency for the rules promulgated under this subsection.”.

12 **941.** Page 1834, line 5: after that line insert:

13 “(14q) RECONCILIATION PROVISION RELATED TO PRIMARY ENFORCEMENT OF SEAT
14 BELTS. If this subsection takes effect after June 30, 2009, the treatment of sections
15 347.48 (2m) (gm) and 347.50 (2m) (a) of the statutes by this act and SECTIONS 9350
16 (4) and 9450 (6) of this act are void.”.

17 **942.** Page 1834, line 5: after that line insert:

18 “(12y) CTH “KP” PROJECT IN DANE COUNTY. In conjunction with the highway
19 rehabilitation project on USH 14 between the village of Cross Plains and the village
20 of Mazomanie, the department of transportation shall complete, after the completion
21 of the USH 14 project and during the 2009–2011 fiscal biennium, a repaving project
22 on CTH “KP” between the village of Cross Plains and the village of Mazomanie.”.

23 **943.** Page 1835, line 11: after that line insert:

1 “(3g) DIRECTOR OF WISCONSIN INSTITUTE FOR SUSTAINABLE TECHNOLOGY. Of the
2 moneys appropriated to the Board of Regents of the University of Wisconsin System
3 under section 20.285 (1) (s) of the statutes, as created by this act, for the 2009–10 and
4 2010–11 fiscal years, the board shall allocate \$110,000 in each fiscal year to the
5 Wisconsin Institute for Sustainable Technology at the University of
6 Wisconsin–Stevens Point to provide funding for the position of the director of the
7 institute.”.

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

9 **945.** Page 1840, line 5: delete “creation” and substitute “treatment”.

10 **946.** Page 1840, line 6: delete that line and substitute “66.0903 (1) (a), (d),
11 (dr), (g) 1. and 2., (h), and (im), (2), (3) (am) (with respect to improvement of a public
12 facility), (ar), (br), and (dm), (4) (a) 1. and 2. and (b) 1. and 2., (5) (b) and (c), (8), (9)
13 (b) and (c), (10) (a) and (b), (11) (b) 2., 3., 4., and 5., and (12) (d) and 103.49 (1) (a), (bg),
14 (bj), (d) 1. and 2., (dm), (f), and (fm), (1m), (2) (with respect to improvement of a public
15 facility), (2m) (a) 1. and 2. and (b) 1. and 2., (3) (a), (am), and (c), (3g) (b) and (c), (4r)
16 (b) and (c), (5) (a) and (b), (6m) (b), (c), (d), and (e), and (7) (d) of the statutes by this
17 act is intended to”.

18 **947.** Page 1840, line 10: delete “creation” and substitute “treatment”.

19 **948.** Page 1840, line 10: after that line insert:

20 “(2c) VOCATIONAL REHABILITATION APPROPRIATION BASE AMOUNTS.

21 (a) Notwithstanding section 16.42 (1) (e) of the statutes, in submitting
22 information under section 16.42 of the statutes for the purposes of the 2011–13
23 biennial budget bill, the department of workforce development shall submit
24 information concerning the appropriation under section 20.445 (5) (a) of the statutes

1 as though the amount appropriated under that appropriation for the second fiscal
2 year of the fiscal biennium in which this paragraph takes effect had been
3 \$15,060,100.

4 (b) Notwithstanding section 16.42 (1) (e) of the statutes, in submitting
5 information under section 16.42 of the statutes for the purposes of the 2011–13
6 biennial budget bill, the department of workforce development shall submit
7 information concerning the appropriation under section 20.445 (5) (kg) of the
8 statutes as though the amount appropriated under that appropriation for the second
9 fiscal year of the fiscal biennium in which this paragraph takes effect had been
10 \$350,000.”.

11 **949.** Page 1840, line 22: after that line insert:

12 “(3i) CONSTRUCTION CONTRACTORS; EMERGENCY RULES. Using the procedures
13 under section 227.24 of the statutes, the department of workforce development may
14 promulgate the rules required under section 111.327 of the statutes, as created by
15 this act, for the period before the effective date of the permanent rules promulgated
16 under that section, but not to exceed the period authorized under section 227.24 (1)
17 (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a) and (3) of the
18 statutes, the department is not required to provide evidence that promulgating a rule
19 under this subsection as an emergency rule is necessary for the preservation of the
20 public peace, health, safety, or welfare and is not required to provide a finding of
21 emergency for a rule promulgated under this subsection.”.

22 **950.** Page 1840, line 22: after that line insert:

23 “(2q) MILWAUKEE AREA WORKFORCE INVESTMENT BOARD. From the appropriation
24 account under section 20.445 (1) (fr) of the statutes, as created by this act, the

1 department of workforce development shall provide a grant in the amount of
2 \$2,000,000 during the 2009–11 state fiscal biennium to the Milwaukee Area
3 Workforce Investment Board, Inc., if during that biennium the city of Milwaukee also
4 provides a grant in the amount of \$1,500,000 to that board.”.

5 **951.** Page 1841, line 1: delete “893.80” and substitute “893.82”.

6 **952.** Page 1841, line 15: delete “employe” and substitute “employee”.

7 **953.** Page 1842, line 5: after that line insert:

8 “(2i) REQUIRED GENERAL FUND STRUCTURAL BALANCE. Section 20.003 (4m) of the
9 statutes shall not apply to the 2010–11 fiscal year.”.

10 **954.** Page 1843, line 9: after that line insert:

11 “(hx) The sum of \$5,000 to the Human Concerns of South Milwaukee Food
12 Pantry.”.

13 **955.** Page 1844, line 20: after that line insert:

14 “(1g) PETROLEUM INSPECTION FUND TRANSFER TO RECYCLING AND RENEWABLE
15 ENERGY FUND. In each fiscal year of the fiscal biennium in which this subsection takes
16 effect, \$2,000,000 is transferred from the petroleum inspection fund to the recycling
17 and renewable energy fund.”.

18 **956.** Page 1844, line 20: after that line insert:

19 “(1f) PETROLEUM INSPECTION FUND TRANSFER TO TRANSPORTATION FUND. There is
20 transferred from the petroleum inspection fund to the transportation fund
21 \$10,000,000 in fiscal year 2009–10 and \$17,800,000 in fiscal year 2010–11.

22 (1q) PETROLEUM INSPECTION FUND TRANSFER TO GENERAL FUND IN 2010–11. There
23 is transferred from the petroleum inspection fund to the general fund \$9,200,000 in
24 fiscal year 2010–11.”.

1 **957.** Page 1845, line 2: after that line insert:

2 “(3q) TRANSFER FROM PETROLEUM INSPECTION FUND TO ENVIRONMENTAL FUND.

3 There is transferred from the petroleum inspection fund to the environmental fund
4 \$230,000 in the first fiscal year of the fiscal biennium in which this subsection takes
5 effect. There is transferred from the petroleum inspection fund to the environmental
6 fund \$530,000 in the second fiscal year of the fiscal biennium in which this subsection
7 takes effect.”.

8 **958.** Page 1845, line 3: before that line insert:

9 “(3f) DEVELOPMENT FUND; LAPSE. Notwithstanding section 20.001 (3) (b) of the
10 statutes, on July 1, 2010, there is lapsed to the general fund \$14,850,000 from the
11 appropriation account of the department of commerce under section 20.143 (1) (tm)
12 of the statutes, as affected by the acts of 2009.”.

13 **959.** Page 1852, line 3: delete “\$250,000” and substitute “\$225,000”.

14 **960.** Page 1852, line 5: delete “\$250,000” and substitute “\$225,000”.

15 **961.** Page 1852, line 9: delete “\$9,764,000” and substitute “\$11,378,100”.

16 **962.** Page 1852, line 10: delete “\$9,764,000” and substitute “\$11,392,200”.

17 **963.** Page 1854, line 22: delete the material beginning with “each” and ending
18 with “effect” on line 23 and substitute “fiscal year 2009–10”.

19 **964.** Page 1855, line 22: delete the material beginning with that line and
20 ending with page 1856, line 7.

21 **965.** Page 1856, line 23: delete the material beginning with that line and
22 ending with page 1857, line 2.

1 **966.** Page 1859, line 9: delete the material beginning with “49.145” and
2 ending with “(intro.)” on line 9.

3 **967.** Page 1859, line 11: before “49.153” insert “and”.

4 **968.** Page 1859, line 12: delete “(b), and (c), and 49.155 (1m) (a) 1. and 1m.
5 (intro.)” and substitute “(b), and (c)”.

6 **969.** Page 1859, line 15: delete lines 15 to 21.

7 **970.** Page 1860, line 16: after “(title)” insert “and (c) (intro.) and 3. and 49.159
8 (4)”.

9 **971.** Page 1860, line 17: after “(a)” insert “and (b)”.

10 **972.** Page 1861, line 12: delete lines 12 to 14.

11 **973.** Page 1861, line 19: after that line insert:

12 “(4c) The treatment of sections 802.03 (9) and 846.35 (1) (c), (4), and (5) of the
13 statutes, the renumbering of section 799.41 of the statutes, and the creation of
14 section 799.41 (2) of the statutes, first apply to actions commenced on the effective
15 date of this subsection.”.

16 **974.** Page 1862, line 24: after “2.” insert “and 3m.”.

17 **975.** Page 1863, line 17: on lines 17 and 21, delete “and 8.”.

18 **976.** Page 1864, line 1: delete lines 1 to 6 and substitute:

19 “(1x) QUALIFIED ECONOMIC OFFERS. The treatment of section 111.70 (1) (dm),
20 (fm), (nc), and (ne) and (4) (cm) 5s., 6. a. and am., 8p., and 8s. and (m) 6. of the statutes
21 first applies to petitions for arbitration that relate to collective bargaining
22 agreements that cover periods beginning on or after July 1, 2009, and that are filed

1 under section 111.70 (4) (cm) 6. of the statutes, as affected by this act, on the effective
2 date of this subsection.”.

3 **977.** Page 1864, line 8: delete the material beginning with “and (nd)” and
4 ending with “(m) 6.” on line 9 and substitute “, (3) (a) 4., and (4) (cm) 5., 7., 7g., 7r.
5 (intro.), and 8m. a., b., and c., (cn), and (d) 2. a.”.

6 **978.** Page 1865, line 6: after that line insert:

7 “(3f) MEDICAL ASSISTANCE SERVICES BY MANAGED CARE ORGANIZATIONS. The
8 treatment of section 49.45 (24d), (44g), and (50m) of the statutes first applies to
9 contracts between the department of health services and a managed care
10 organization entered into on the effective date of this subsection.”.

11 **979.** Page 1865, line 16: delete “20.505 (8) (hm) 18.”.

12 **980.** Page 1865, line 17: delete “49.01, 49.015, 49.02” and substitute “49.01
13 (3m) and (8j), 49.015 (1) (a) and (c) and (3) (a), 49.02 (1) (intro.), (a), (b), and (c) (intro.),
14 1., 2., and 4., (1e), and (2) (b) and (f)”.

15 **981.** Page 1865, line 17: delete “49.029.”.

16 **982.** Page 1865, line 18: delete lines 18 to 20 and substitute “(1) (s), and 49.45
17 (6y) (am) and (b) of the statutes”.

18 **983.** Page 1865, line 21: delete “and (kb)”.

19 **984.** Page 1865, line 24: before “(1h)” insert “(1g)”.

20 **985.** Page 1866, line 3: after that line insert:

21 “(1q) REIMBURSEMENT OF VETERANS AND DEPENDENTS.

22 (a) *Educational assistance reimbursement.* The treatment of sections 20.235
23 (1) (fz), 36.27 (3n) (bm) and (3p) (bm), 38.24 (7) (bm) and (8) (bm), and 39.50 (3m)

1 (title) and (4) of the statutes first applies to a student who is enrolled in the fall 2009
2 semester.

3 (b) *Fee remission*. The treatment of sections 36.27 (3n) (b) (intro.) and (bg) and
4 (3p) (b) and (bg) and 38.24 (7) (b) (intro.) and (bg) and (8) (b) and (bg) of the statutes
5 first applies to a student who is enrolled in the spring 2010 semester.”.

6 **986.** Page 1866, line 11: delete lines 11 to 15.

7 **987.** Page 1867, line 4: delete lines 4 to 22.

8 **988.** Page 1868, line 4: after that line insert:

9 “(6f) PROHIBITED BASES FOR ASSESSING RISK FOR MOTOR VEHICLE INSURANCE. The
10 treatment of section 632.355 of the statutes first applies to motor vehicle insurance
11 policies issued or renewed on the effective date of this subsection.”.

12 **989.** Page 1869, line 14: after “CONTRACEPTIVES” insert “AND DEPENDENTS”.

13 **990.** Page 1869, line 15: after “(n)” insert “and (nm)”.

14 **991.** Page 1869, line 15: delete “609.805” and substitute “609.755, 609.805,
15 632.885”.

16 **992.** Page 1871, line 6: after that line insert:

17 “(1m) FIRST CLASS CITY POLICE OFFICER SALARY AFTER DISCHARGE. The treatment
18 of section 62.50 (18) (a) and (b) of the statutes first applies to any member of the police
19 force who is covered by a collective bargaining agreement that contains provisions
20 inconsistent with the treatment of section 62.50 (18) (a) and (b) on the day on which
21 the collective bargaining agreement expires or is extended, modified, or renewed,
22 whichever occurs first.”.

23 **993.** Page 1871, line 16: after that line insert:

1 “(3e) CONSTRUCTION LANDFILL FEES. The treatment of sections 289.63 (1), 289.64
2 (1), (2), (5), and (7) (a), 289.645 (1), (2), (5) (intro.), and (7) (a), and 289.67 (1) (a), (b),
3 (g), and (i) 1. of the statutes first applies to building waste disposed of on January
4 1, 2010.”.

5 **994.** Page 1873, line 10: after that line insert:

6 “(7i) GENERAL AID; CONSOLIDATION. The treatment of section 121.07 (6) (e) 1. and
7 (7) (e) 1. of the statutes first applies to the distribution of school aid in the 2009–10
8 school year.”.

9 **995.** Page 1873, line 10: after that line insert:

10 “(7j) OPEN ENROLLMENT; SUPPLEMENTAL AID. The treatment of section 118.51 (16)
11 (e) of the statutes first applies to the number of pupils who attend public school in
12 a nonresident school district in the 2008–09 school year.”.

13 **996.** Page 1873, line 17: delete lines 17 to 19.

14 **997.** Page 1873, line 22: after that line insert:

15 “(1j) ENHANCED 911 SURCHARGES.

16 (a) The creation of section 256.35 (3g) (a) 1. of the statutes first applies to bills
17 provided to subscribers on the effective date of this paragraph.

18 (b) The creation of section 256.35 (3g) (a) 2. a. of the statutes first applies to
19 retail transactions occurring on the effective date of this paragraph.”.

20 **998.** 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
24 July 31 the treatment of section 71.10 (5i) of the statutes first applies to taxable years

1 beginning on January 1 of the year following the year in which this subsection takes
2 effect.”.

3 **999.** Page 1875, line 1: delete lines 1 to 3.

4 **1000.** Page 1875, line 3: after that line insert:

5 “(6q) SECOND HARVEST FOOD BANKS. The treatment of section 71.10 (5j) of the
6 statutes first applies to taxable years beginning on January 1 of the year in which
7 this subsection takes effect, except that if this subsection takes effect after July 31
8 the treatment of section 71.10 (5j) of the statutes first applies to taxable years
9 beginning on January 1 of the year following the year in which this subsection takes
10 effect.”.

11 **1001.** Page 1875, line 11: after that line insert:

12 “(12d) ADVANCE PAYMENTS; EARNED INCOME TAX CREDIT. The treatment of section
13 71.07 (9e) (g) of the statutes first applies to taxable years beginning on January 1 of
14 the year in which this subsection takes effect, except that if this subsection takes
15 effect after August 31 the treatment of section 71.07 (9e) (g) of the statutes first
16 applies to taxable years beginning on January 1 of the year following the year in
17 which this subsection takes effect.”.

18 **1002.** Page 1875, line 12: after “section 71.05 (6) (b) 9.” insert “and 9m.”.

19 **1003.** Page 1875, line 15: after “section 71.05 (6) (b) 9.” insert “and 9m.”.

20 **1004.** Page 1875, line 17: after that line insert:

21 “(13x) CHANGES TO EDVEST INCOME TAX DEDUCTION. The treatment of section
22 71.05 (6) (b) 32. (intro.) and a. and 33. (intro.) and a. of the statutes first applies to
23 taxable years beginning on January 1, 2010.”.

24 **1005.** Page 1876, line 16: after “(2) (a),” insert “(2m)”.

1 **1006.** Page 1876, line 16: delete “(6) (b)” and substitute “(6) (a), (b), and (c)
2 1.”.

3 **1007.** Page 1877, line 9: delete lines 9 and 10 and substitute “first applies to
4 the taxes that are payable on August 1, 2009.”.

5 **1008.** Page 1877, line 10: after that line insert:

6 “(21g) STUDENT HOUSING FACILITIES. The treatment of section 70.11 (3m) of the
7 statutes first applies to the property tax assessments as of January 1, 2010.”.

8 **1009.** Page 1878, line 24: delete the material beginning with that line and
9 ending with page 1879, line 2.

10 **1010.** Page 1879, line 2: after that line insert:

11 “(10q) TRANSPORTATION ENHANCEMENT GRANTS FOR BICYCLE AND PEDESTRIAN
12 FACILITIES. The treatment of section 85.026 (2) (b) of the statutes first applies with
13 respect to grants awarded on the effective date of this subsection.”.

14 **1011.** Page 1880, line 1: delete lines 1 to 4 and substitute “a project proposal,
15 including a preliminary plat or final plat under chapter 236 of the statutes, for a
16 publicly funded private construction project, as defined in section 66.0904 (1) (i) of
17 the statutes, as created by this act, submitted to a local governmental unit for
18 approval on the effective date of this subsection.”.

19 **1012.** Page 1880, line 14: delete lines 14 to 19.

20 **1013.** Page 1880, line 19: after that line insert:

21 “(5f) PREVAILING WAGE; REMEDIES. The treatment of section 103.49 (6m) (f) of the
22 statutes, the renumbering of section 103.49 (6m) (a) of the statutes, the renumbering
23 and amendment of section 66.0903 (11) (a) of the statutes, and the creation of sections

1 66.0903 (11) (a) 2.and 4. and 103.49 (6m) (ag) of the statutes first applies to hours
2 worked on the effective date of this subsection.”.

3 **1014.** Page 1880, line 20: after that line insert:

4 “(1f) EXPEDITED MARRIAGE LICENSE FEE. The treatment of section 765.08 (2) of
5 the statutes first applies to marriage license applications that are submitted to
6 county clerks on the effective date of this subsection.”.

7 **1015.** Page 1880, line 24: after that line insert:

8 “(1f) LOW-INCOME ASSISTANCE. The repeal of section 16.957 (2) (d) 2m. of the
9 statutes takes effect on June 30, 2011.”.

10 **1016.** Page 1881, line 2: after that line insert:

11 “(4g) RESTORATIVE JUSTICE. The repeal of section 20.505 (6) (br) of the statutes
12 takes effect on July 1, 2010.”.

13 **1017.** Page 1882, line 10: after that line insert:

14 “(5f) BILL OF RIGHTS FOR FOSTER CHILDREN. The treatment of sections 48.648 and
15 48.649 of the statutes and SECTION 9108 (6f) of this act take effect on January 1,
16 2010.”.

17 **1018.** Page 1882, line 11: delete “48.40 (1m),”.

18 **1019.** Page 1882, line 12: delete that line and substitute “48.48 (17) (a) 10.,
19 48.62 (1) (b), 49.001”.

20 **1020.** Page 1882, line 13: delete that line and substitute “(7), 619.01 (1) (c)
21 4m., 619.01”.

22 **1021.** Page 1882, line 14: delete “767.57 (1m) (cm),”.

23 **1022.** Page 1882, line 17: delete “20.437 (2) (r),”.

- 1 **1023.** Page 1883, line 9: delete “48.62 (5) (c) 2.,”.
- 2 **1024.** Page 1883, line 10: delete “48.62 (5) (e),”.
- 3 **1025.** Page 1883, line 16: after “48.67 (intro.),” insert “48.67 (4),”.
- 4 **1026.** Page 1883, line 17: delete “48.68 (1),”.
- 5 **1027.** Page 1883, line 20: delete “48.75 (1r),”.
- 6 **1028.** Page 1883, line 23: delete “49.155 (1m) (c)”.
- 7 **1029.** Page 1883, line 24: delete “1. (intro.) (by SECTION 1208),”.
- 8 **1030.** Page 1883, line 25: delete “49.22 (6), 49.22 (7m),”.
- 9 **1031.** Page 1884, line 3: delete “49.96,”.
- 10 **1032.** Page 1884, line 6: delete “118.175 (1),”.
- 11 **1033.** Page 1884, line 10: delete lines 10 and 11 and substitute “(1) (c) 1.,
12 619.01 (9), 767.41 (3) (c),”.
- 13 **1034.** Page 1884, line 12: delete “767.87 (6) (a), 767.87 (6) (b),”.
- 14 **1035.** Page 1885, line 2: delete “January 1, 2010” and substitute “the date
15 stated in the notice provided by the secretary of children and families and published
16 in the Wisconsin Administrative Register under section 48.62 (9) of the statutes, as
17 created by this act”.
- 18 **1036.** Page 1885, line 3: delete the material beginning with “20.437 (2)” and
19 ending with “4. (intro.),” on line 5.
- 20 **1037.** Page 1885, line 7: delete the material beginning with “49.153” and
21 ending with “948.45 (1)” on line 9 and substitute “and 49.153 (1) (a), (b), and (c)”.
- 22 **1038.** Page 1885, line 9: after “(1)” insert “and (2)”.

1 **1039.** Page 1885, line 9: delete “and (6)”.

2 **1040.** Page 1885, line 21: delete “treatment” and substitute “creation”.

3 **1041.** Page 1887, line 15: after that line insert:

4 “(2u) SENTENCING. The repeal of section 302.113 (9) (at) and (9g) (a) 1. and (cm)
5 of the statutes, the renumbering and amendment of section 302.113 (2), (9) (am), and
6 (9g) (a) (intro.) and 2., (b) (intro.), 1., 2., and 3., (c), (d), (e), (f) (intro.), 1., and 2., (g)
7 1., 2., and 3., (h), (i), and (j) of the statutes, the amendment of sections 301.03 (3),
8 301.048 (2) (am) 3., 301.21 (1m) and (2m) (c), 302.045 (3), 302.05 (3) (b), 302.11 (1g)
9 (b) (intro.) and 2., (c), (d), (1m), and (7) (c), 302.113 (1), (3) (d), (7), and (9) (b) and (c),
10 302.114 (9) (c), 304.01 (title), (1), and (2) (intro.), (b), (c), (d), 304.06 (title), (1) (b), (c)
11 (intro.), (d) 1., 2., 3m., and 4., (e), (eg), (em), (f), (g), (1m) (intro.), (1q) (b) and (c), (1x),
12 (2m) (d), (3), (3e), and (3m), 304.071 (1), 801.50 (5), 809.30 (1) (c), 911.01 (4) (c), 950.04
13 (1v) (f), (g), (gm), and (nt), 973.01 (4), (7), and (8) (a) 2. and 3., 973.09 (5) (intro.),
14 973.195 (1r) (a), 974.07 (4) (b), 976.03 (23) (c), and 977.05 (4) (jm) of the statutes, the
15 creation of sections 302.042, 302.045 (3m) (d), 302.05 (3) (c) 3., 302.113 (2) (b) and (c),
16 (3) (e), (3m), (9) (am) 2., and (9h), 302.1135 (title), (1) (a), and (6) (a) (intro.) and (b),
17 304.06 (1) (bg), (bk), (bn), and (br), 973.01 (3d) and (4m), 973.031, 973.09 (3) (d), and
18 973.195 (1r) (j) of the statutes, the repeal and recreation of section 973.01 (2) (d)
19 (intro.) of the statutes, and SECTION 9311 (2) and (4q) of this act take effect on October
20 1, 2009, or on the 90th day beginning after publication, whichever is later.”.

21 **1042.** Page 1887, line 19: after that line insert:

22 “(2x) SALARIES AND FRINGE BENEFITS; PUBLIC BENEFITS. The repeal of section
23 20.475 (1) (s) of the statutes takes effect on June 30, 2011.”.

24 **1043.** Page 1887, line 22: delete lines 22 to 24.

1 **1044.** Page 1888, line 7: delete lines 7 to 9 and substitute:

2 “(1g) UNIVERSITY OF WISCONSIN RESEARCH ASSISTANTS. The treatment of sections
3 111.81 (17m), 111.825 (2) (g), (h), and (i), and 111.935 of the statutes takes effect on
4 July 1, 2010.”.

5 **1045.** Page 1888, line 10: delete lines 10 to 13.

6 **1046.** Page 1889, line 4: delete lines 4 to 6.

7 **1047.** Page 1890, line 2: delete “20.505 (8) (hm) 18.,”.

8 **1048.** Page 1890, line 3: delete “49.01, 49.015, 49.02” and substitute “49.01
9 (3m) and (8j), 49.015 (1) (a) and (c) and (3) (a), 49.02 (1) (intro.), (a), (b), and (c) (intro.),
10 1., 2., and 4., (1e), and (2) (b) and (f)”.

11 **1049.** Page 1890, line 4: delete the material beginning with “49.32” and
12 ending with “(4) (b)” on line 7 and substitute “49.45 (6m) (br) 1. and (6y) (am) and (b),
13 and 49.688 (3) (d)”.

14 **1050.** Page 1890, line 4: delete “49.029,”.

15 **1051.** Page 1890, line 8: delete “and (kb)”.

16 **1052.** Page 1890, line 11: after that line insert:

17 “(7x) DENTAL HEALTH CLINIC GRANT. The repeal of section 20.435 (1) (dj) of the
18 statutes, as created by this act, takes effect on July 1, 2010.”.

19 **1053.** Page 1891, line 11: after that line insert:

20 “(14g) MEDICAL ASSISTANCE SERVICES BY MANAGED CARE ORGANIZATIONS. The
21 treatment of section 49.45 (24d), (44g), and (50m) and SECTION 9322 (3f) of the
22 statutes takes effect on January 1, 2010.”.

23 **1054.** Page 1891, line 16: after that line insert:

1 “(1q) REIMBURSEMENT OF VETERANS AND DEPENDENTS.

2 (a) *Educational assistance reimbursement.* The treatment of sections 20.235
3 (1) (fz), 36.27 (3n) (bm) and (3p) (bm), 38.24 (7) (bm) and (8) (bm), and 39.50 (3m)
4 (title) and (4) of the statutes takes effect on August 15, 2009.

5 (b) *Fee remission.* The treatment of sections 36.27 (3n) (b) (intro.) and (bg) and
6 (3p) (b) and (bg) and 38.24 (7) (b) (intro.) and (bg) and (8) (b) and (bg) of the statutes
7 takes effect on January 1, 2010.”.

8 **1055.** Page 1891, line 21: delete lines 21 to 23.

9 **1056.** Page 1891, line 24: after “COVERAGES” insert “, PROHIBITED RISK
10 FACTORS,”.

11 **1057.** Page 1892, line 3: after “(j),” insert “632.355,”.

12 **1058.** Page 1892, line 5: after “(6),” insert “(6f),”.

13 **1059.** Page 1892, line 7: after “CONTRACEPTIVE” insert “AND DEPENDENT”.

14 **1060.** Page 1892, line 8: after “(n)” insert “and (nm)”.

15 **1061.** Page 1892, line 8: delete “609.805” and substitute “609.755, 609.805,
16 632.885”.

17 **1062.** Page 1893, line 2: after that line insert:

18 “(1j) CRIME VICTIM AND WITNESS SURCHARGE. The treatment of section 20.455 (5)
19 (g) (by SECTION 537c) and (gc) (by SECTION 538c) of the statutes and the repeal and
20 recreation of section 973.045 (2m) of the statutes take effect on July 1, 2011.”.

21 **1063.** Page 1893, line 23: after that line insert:

22 “(6x) SNOWMOBILE RAIL CROSSING. The repeal and recreation of section 20.370
23 (3) (aq) of the statutes takes effect on July 1, 2011.”.

1 **1064.** Page 1894, line 13: delete lines 13 and 14.

2 **1065.** Page 1894, line 21: delete lines 21 to 24 and substitute:

3 “(1j) POLICE AND FIRE PROTECTION FEE.

4 (a) The amendment of sections 196.202 (2), 196.203 (1), and 196.499 (1) (intro.)
5 of the statutes and the creation of sections 20.155 (3) (t), 25.17 (1) (ku), 25.99, 77.51
6 (12m) (b) 9. and (15b) (b) 9., and 196.025 (6) of the statutes take effect on October 1,
7 2009, or on the first day of the 3rd month beginning after publication, whichever is
8 later.

9 (b) The repeal of sections 20.155 (3) (t), 25.17 (1) (ku), 25.99, 77.51 (12m) (b) 9.
10 and (15b) (b) 9., and 196.025 (6) of the statutes and the repeal and recreation of
11 sections 196.202 (2), 196.203 (1), and 196.499 (1) (intro.) of the statutes take effect
12 on June 30, 2011.”.

13 **1066.** Page 1894, line 22: delete “77.51 (12m) (b) 9. and (15b) (b) 9.” and
14 substitute “77.54 (55)”.

15 **1067.** Page 1894, line 23: delete “October 1, 2009,” and substitute
16 “September 1, 2009.”.

17 **1068.** Page 1894, line 24: delete that line.

18 **1069.** Page 1894, line 24: after that line insert:

19 “(2j) ENHANCED 911 PROGRAM. The treatment of sections 15.793, 20.155 (3) (r),
20 25.17 (1) (kb), 25.985, 77.51 (12m) (b) 10. and (15b) (b) 10., 77.54 (37), and 256.35 (1)
21 (cs), (ee), (gm), (3), (3g), (3m) (a) 2., 3., and 4., (5), (7), and (8) of the statutes and
22 SECTION 9141 (1j) and (2j) of this act take effect on July 1, 2011.”.

23 **1070.** Page 1897, line 3: after that line insert:

1 “(8bu) ANAEROBIC DIGESTION. The repeal and recreation of section 77.54 (56) of
2 the statutes takes effect on October 1, 2009.”.

3 **1071.** Page 1897, line 19: delete “139.32 (5),”.

4 **1072.** Page 1897, line 19: delete “139.765,”.

5 **1073.** Page 1898, line 16: after “3.,” insert “77.51 (7h) (b),”.

6 **1074.** Page 1898, line 17: after that line insert:

7 “(14u) BURNETT COUNTY TAX. The repeal and recreation of section 77.70 (1) of
8 the statutes takes effect on October 1, 2009.”.

9 **1075.** Page 1898, line 17: after that line insert:

10 “(14r) MILWAUKEE COUNTY TAX. The repeal and recreation of section 77.70 (1),
11 (2), and (3) of the statutes takes effect on October 1, 2009.”.

12 **1076.** Page 1900, line 7: delete “SECTIONS 9150 (5c) and” and substitute
13 “SECTION”.

14 **1077.** Page 1900, line 8: after that line insert:

15 “(6q) SAFETY BELT PERFORMANCE GRANT FUNDS. SECTION 9150 (5c) of this act takes
16 effect on the day after publication.

17 “(7q) RECONCILIATION PROVISION RELATED TO PRIMARY ENFORCEMENT OF SEAT BELTS.
18 SECTION 9150 (14q) of this act takes effect on the day after publication.”.

19 **1078.** Page 1900, line 23: delete the material beginning with that line and
20 ending with page 1901, line 8.

21 **1079.** Page 1901, line 23: after that line insert:

22 “(15v) COMPULSORY FINANCIAL RESPONSIBILITY FOR MOTOR VEHICLE OPERATION.

1 (a) The treatment of sections 25.40 (1) (a) 27., 165.755 (1) (b), 302.46 (1) (a),
2 344.14 (2) (L), 344.25 (7), 757.05 (1) (a), 814.63 (1) (c), 814.63 (2), 814.65 (1), 814.85
3 (1) (a), and 814.86 (1) (by SECTION 3240m) and subchapter VI of chapter 344 of the
4 statutes takes effect on the first day of the 12th month beginning after publication.

5 (b) SECTION 9150 (11v) of this act takes effect on the day after publication.”.

6 **1080.** Page 1902, line 15: delete lines 15 to 22 and substitute:

7 “(1x) PREVAILING WAGE. The treatment of sections 19.36 (12), 66.0903 (1) (a),
8 (am), (d), (dr), (e), (g) 1. and 2., (h), (i), and (im), (2), (3) (am), (ar), (av), (br), and (dm),
9 (4) (a) 1. and 2. and (b) 1. and 2., (8), (9) (b) and (c), (10) (a), (am), (b), and (c), (11) (b)
10 2., 3., (f), 4., and 5., and (12) (d), 66.0904, 103.49 (1) (a), (am), (bg), (bj), (bm), (d) 1.
11 and 2., (dm), (e), and (fm), (1m), (2), (2m) (a) 1. and 2. and (b) 1. and 2., (3) (a), (am),
12 (ar), and (c), (4r) (b) and (c), (5) (a), (am), (b), and (c), (6m) (b), (c), (d), (e), and (f), and
13 (7) (d), 103.50 (4m) and (7) (d) and (e), 103.503 (title), (1) (a), (c), (e), and (g), (2), and
14 (3) (a) 2., 104.001 (3) (am), 109.09 (1), 111.322 (2m) (c), 227.01 (13) (t), and 946.15 of
15 the statutes, the renumbering of section 103.49 (6m) (a) of the statutes, the
16 renumbering and amendment of sections 66.0903 (5) and (11) (a) and 103.49 (3g) of
17 the statutes, and the creation of sections 66.0903 (5) (b) and (c) and (11) (a) 2. and 4.
18 and 103.49 (3g) (b) and (c) and (6m) (ag) of the statutes take effect on January 1,
19 2010.”.

20 **1081.** Page 1902, line 22: after that line insert:

21 “(2q) MILWAUKEE AREA WORKFORCE INVESTMENT BOARD. The repeal of section
22 20.445 (1) (fr) of the statutes takes effect on July 1, 2011.”.

23 **1082.** Page 1902, line 23: delete lines 23 to 25.

24 **1083.** Page 1903, line 6: after that line insert:

