not have a social security number. The form of the statement shall be prescribed by the department of children and families.

***-1465/P4.807* *-1369/1.6* SECTION 2330.** 101.1206 (title) of the statutes is created to read:

**101.1206** (title) **Erosion control; construction of public buildings and buildings that are places of employment.**

***-1187/P5.405* SECTION 2331.** 101.123 (2) (d) 4. of the statutes is amended to read:

101.123 **(2)** (d) 4. A location that is 25 feet or less from a residence hall or dormitory that is owned or operated by the Board of Regents of the University of Wisconsin System or Board of Trustees of the University of Wisconsin–Madison.

***-1187/P5.406* SECTION 2332.** 101.14 (4) (b) 3. a. of the statutes is amended to read:

101.14 **(4)** (b) 3. a. Every residence hall and dormitory over 60 feet in height, the initial construction of which was begun before April 26, 2000, that is owned or operated by the ~~board of regents~~ Board of Regents of the University of Wisconsin System or the Board of Trustees of the University of Wisconsin–Madison to contain an automatic fire sprinkler system on each floor by January 1, 2006, except that those rules shall not apply to Ogg Residence Hall at the University of Wisconsin–Madison until January 1, 2008.

***-1187/P5.407* SECTION 2333.** 101.14 (4) (b) 3. b. of the statutes is amended to read:

101.14 **(4)** (b) 3. b. Every residence hall and dormitory, the initial construction of which is begun on or after April 26, 2000, that is owned or operated by the ~~board of regents~~ Board of Regents of the University of Wisconsin System or the Board of

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Trustees of the University of Wisconsin–Madison to have an automatic fire sprinkler system installed on each floor at the time the residence hall or dormitory is constructed.

***-1187/P5.408* SECTION 2334.** 101.14 (4) (b) 3. c. of the statutes is amended to read:

101.14 **(4)** (b) 3. c. Every residence hall and dormitory over 60 feet in height, the initial construction of which was begun before January 7, 2006, that is owned or operated by an institution of higher education, other than a residence hall or dormitory that is owned or operated by the Board of Regents of the University of Wisconsin System or the Board of Trustees of the University of Wisconsin–Madison, to contain an automatic fire sprinkler system on each floor by January 1, 2014.

***-1187/P5.409* SECTION 2335.** 101.14 (4) (b) 3. d. of the statutes is amended to read:

101.14 **(4)** (b) 3. d. Every residence hall and dormitory, the initial construction of which is begun on or after January 7, 2006, that is owned or operated by an institution of higher education, other than a residence hall or dormitory that is owned or operated by the Board of Regents of the University of Wisconsin System or the Board of Trustees of the University of Wisconsin–Madison, to have an automatic fire sprinkler system installed on each floor at the time the residence hall or dormitory is constructed.

***-1465/P4.808* *-0808/2.282* SECTION 2336.** 101.143 (2) (d) of the statutes is amended to read:

101.143 **(2)** (d) The department shall reserve a portion, not to exceed 20%, of the amount annually appropriated under s. ~~20.143 (3)~~ 20.165 (2) (v) for awards under

this section to be used to fund emergency remedial action and claims that exceed the amount initially anticipated.

***-1465/P4.809* *-0808/2.283* SECTION 2337.** 101.143 (2) (h) (intro.) of the statutes is amended to read:

101.143 **(2)** (h) (intro.) The department of ~~commerce~~ safety and professional services and the department of natural resources, jointly, shall promulgate rules designed to facilitate effective and cost-efficient administration of the program under this section that specify all of the following:

***-1465/P4.810* *-0808/2.284* SECTION 2338.** 101.143 (2) (i) (intro.) of the statutes is amended to read:

101.143 **(2)** (i) (intro.) The department of ~~commerce~~ safety and professional services and the department of natural resources, jointly, shall promulgate rules specifying procedures for evaluating remedial action plans and procedures to be used by employees of the department of ~~commerce~~ safety and professional services and the department of natural resources while remedial actions are being conducted. The departments shall specify procedures that include all of the following:

***-1465/P4.811* *-0808/2.285* SECTION 2339.** 101.143 (2) (j) (intro.) of the statutes is amended to read:

101.143 **(2)** (j) (intro.) The department of ~~commerce~~ safety and professional services and the department of natural resources, jointly, shall promulgate rules specifying all of the following:

***-1465/P4.812* *-0808/2.286* SECTION 2340.** 101.143 (2) (k) of the statutes is amended to read:

101.143 **(2)** (k) In promulgating rules under pars. (h) to (j), the department of ~~commerce~~ safety and professional services and the department of natural resources

shall attempt to reach an agreement that is consistent with those provisions. If the department of ~~commerce~~ safety and professional services and the department of natural resources are unable to reach an agreement, they shall refer the matters on which they are unable to agree to the secretary of administration for resolution. The secretary of administration shall resolve any matters on which the departments disagree in a manner that is consistent with pars. (h) to (j). The department of ~~commerce~~ safety and professional services and the department of natural resources, jointly, shall promulgate rules incorporating any agreement between the department of ~~commerce~~ safety and professional services and the department of natural resources under this paragraph and any resolution of disagreements between the departments by the secretary of administration under this paragraph.

***-1465/P4.813* *-0808/2.287* SECTION 2341.** 101.143 (2) (L) of the statutes is amended to read:

101.143 **(2)** (L) The department may promulgate rules for the assessment and collection of fees to recover its costs for providing approval under sub. (3) (c) 4. and for providing other assistance requested by applicants under this section. Any moneys collected under this paragraph shall be credited to the appropriation account under s. ~~20.143 (3)~~ 20.165 (2) (Lm).

***-1465/P4.814* *-0808/2.288* SECTION 2342.** 101.143 (2e) (a) of the statutes is amended to read:

101.143 **(2e)** (a) The department of ~~commerce~~ safety and professional services and the department of natural resources shall attempt to agree on a method, which shall include individualized consideration of the routes for migration of petroleum product contamination at each site, for determining the risk to public health, safety and welfare and to the environment posed by discharges for which the department

of ~~commerce~~ safety and professional services receives notification under sub. (3) (a) 3.

***-1465/P4.815* *-0808/2.289* SECTION 2343.** 101.143 (2e) (b) of the statutes is amended to read:

101.143 **(2e)** (b) If the department of ~~commerce~~ safety and professional services and the department of natural resources are unable to reach an agreement under par. (a), they shall refer the matters on which they are unable to agree to the secretary of administration for resolution. The secretary of administration shall resolve any matters on which the departments disagree in a manner that is consistent with par. (a). The department of ~~commerce~~ safety and professional services and the department of natural resources, jointly, shall promulgate rules incorporating any agreement between the department of ~~commerce~~ safety and professional services and the department of natural resources under par. (a) and any resolution of disagreements between the departments by the secretary of administration under this paragraph.

***-1465/P4.816* *-0808/2.290* SECTION 2344.** 101.143 (2e) (c) of the statutes is amended to read:

101.143 **(2e)** (c) The department of natural resources or, if the discharge is covered under s. 101.144 (2) (b), the department of ~~commerce~~ safety and professional services shall apply the method in the rules promulgated under par. (b) to determine the risk posed by a discharge for which the department of ~~commerce~~ safety and professional services receives notification under sub. (3) (a) 3.

***-1465/P4.817* *-0808/2.291* SECTION 2345.** 101.143 (2m) of the statutes is amended to read:

101.143 **(2m)** INTERDEPARTMENTAL COORDINATION. Whenever the department of ~~commerce~~ safety and professional services receives a notification under sub. (3) (a) 3. or the department of natural resources receives a notification of a petroleum product discharge under s. 292.11, the department receiving the notification shall contact the other department and shall schedule a meeting of the owner or operator or person owning a home oil tank system and representatives of both departments.

***-1465/P4.818* *-0808/2.292* SECTION 2346.** 101.143 (3) (c) 4. of the statutes is amended to read:

101.143 **(3)** (c) 4. Receive written approval from the department of natural resources or, if the discharge is covered under s. 101.144 (2) (b), from the department of ~~commerce~~ safety and professional services that the remedial action activities performed under subd. 3. meet the requirements of s. 292.11.

***-1465/P4.819* *-0808/2.293* SECTION 2347.** 101.143 (3) (cm) of the statutes is amended to read:

101.143 **(3)** (cm) *Monitoring as remedial action.* An owner or operator or person owning a home oil tank system may, with the approval of the department of natural resources or, if the discharge is covered under s. 101.144 (2) (b), the department of ~~commerce~~ safety and professional services, satisfy the requirements of par. (c) 2. and 3. by proposing and implementing monitoring to ensure the effectiveness of natural attenuation of petroleum product contamination.

***-1465/P4.820* *-0808/2.294* SECTION 2348.** 101.143 (3) (cp) 1. of the statutes is amended to read:

101.143 **(3)** (cp) 1. Except as provided in subds. 2. to 5., if the department of natural resources or, if the site is covered under s. 101.144 (2) (b), the department of ~~commerce~~ safety and professional services estimates that the cost to complete a site

investigation, remedial action plan and remedial action for an occurrence exceeds $60,000, the department of ~~commerce~~ safety and professional services shall implement a competitive public bidding process to obtain information to assist in making the determination under par. (cs).

***-1465/P4.821* *-0808/2.295* SECTION 2349.** 101.143 (3) (cp) 2. of the statutes is amended to read:

101.143 **(3)** (cp) 2. The department of ~~commerce~~ safety and professional services or the department of natural resources may waive the requirement under subd. 1. if an enforcement standard is exceeded in groundwater within 1,000 feet of a well operated by a public utility, as defined in s. 196.01 (5), or within 100 feet of any other well used to provide water for human consumption.

***-1465/P4.822* *-0808/2.296* SECTION 2350.** 101.143 (3) (cp) 5. of the statutes is amended to read:

101.143 **(3)** (cp) 5. The department of ~~commerce~~ safety and professional services or the department of natural resources may waive the requirement under subd. 1. after providing notice to the other department.

***-1465/P4.823* *-0808/2.297* SECTION 2351.** 101.143 (3) (cp) 6. of the statutes is amended to read:

101.143 **(3)** (cp) 6. The department of ~~commerce~~ safety and professional services may disqualify a bid received under subd. 1. if, based on information available to the department and experience with remedial action at other sites, the bid is unlikely to establish an amount to sufficiently fund remedial action that will comply with par. (c) 3. and with enforcement standards.

***-1465/P4.824* *-0808/2.298* SECTION 2352.** 101.143 (3) (cp) 7. of the statutes is amended to read:

101.143 **(3)** (cp) 7. The department of ~~commerce~~ safety and professional services may disqualify a person from submitting bids under subd. 1. if, based on past performance of the bidder, the department determines that the person has demonstrated an inability to complete remedial action within established cost limits.

***-1465/P4.825* *-0808/2.299* SECTION 2353.** 101.143 (3) (cs) 1. of the statutes is amended to read:

101.143 **(3)** (cs) 1. The department of ~~commerce~~ safety and professional services shall review the remedial action plan for a site that is classified as low or medium risk under s. 101.144 and shall determine the least costly method of complying with par. (c) 3. and with enforcement standards. The department shall notify the owner or operator of its determination of the least costly method and shall notify the owner or operator that reimbursement for remedial action under this section is limited to the amount necessary to implement that method.

***-1465/P4.826* *-0808/2.300* SECTION 2354.** 101.143 (3) (cs) 2. of the statutes is amended to read:

101.143 **(3)** (cs) 2. The department of natural resources and the department of ~~commerce~~ safety and professional services shall review the remedial action plan for a site that is classified as high risk under s. 101.144 and shall jointly determine the least costly method of complying with par. (c) 3. and with enforcement standards. The departments shall notify the owner or operator of their determination of the least costly method and shall notify the owner or operator that reimbursement for remedial action under this section is limited to the amount necessary to implement that method.

***-1465/P4.827* *-0808/2.301* SECTION 2355.** 101.143 (3) (cs) 3. of the statutes is amended to read:

101.143 **(3)** (cs) 3. In making determinations under subds. 1. and 2., the department of natural resources and the department of ~~commerce~~ safety and professional services shall determine whether natural attenuation will achieve compliance with par. (c) 3. and with enforcement standards.

***-1465/P4.828* *-0808/2.302* SECTION 2356.** 101.143 (3) (cs) 4. of the statutes is amended to read:

101.143 **(3)** (cs) 4. The department of ~~commerce~~ safety and professional services may review and modify an amount established under subd. 1. if the department determines that new circumstances, including newly discovered contamination at a site, warrant those actions. The department of ~~commerce~~ safety and professional services and the department of natural resources may review and modify an amount established under subd. 2. if the departments determine that new circumstances, including newly discovered contamination at a site, warrant those actions.

***-1465/P4.829* *-0808/2.303* SECTION 2357.** 101.143 (3) (cw) 1. of the statutes is amended to read:

101.143 **(3)** (cw) 1. The department of ~~commerce~~ safety and professional services shall conduct the annual review required under sub. (2) (i) 1. for a site that is classified as low or medium risk under s. 101.144 and shall determine the least costly method of completing remedial action at the site in order to comply with par. (c) 3. and with enforcement standards. The department shall notify the owner or operator of its determination of the least costly method and shall notify the owner or operator that reimbursement under this section for any remedial action conducted after the date of the notice is limited to the amount necessary to implement that method.

***-1465/P4.830* *-0808/2.304* SECTION 2358.** 101.143 (3) (cw) 2. of the statutes is amended to read:

101.143 **(3)** (cw) 2. The department of natural resources and the department of ~~commerce~~ safety and professional services shall conduct the annual review required under sub. (2) (i) 1. for a site that is classified as high risk under s. 101.144 and shall jointly determine the least costly method of completing remedial action at the site in order to comply with par. (c) 3. and with enforcement standards. The departments shall notify the owner or operator of their determination of the least costly method and shall notify the owner or operator that reimbursement under this section for remedial action conducted after the date of the notice is limited to the amount necessary to implement that method.

***-1465/P4.831* *-0808/2.305* SECTION 2359.** 101.143 (3) (cw) 3. of the statutes is amended to read:

101.143 **(3)** (cw) 3. In making determinations under subds. 1. and 2., the department of natural resources and the department of ~~commerce~~ safety and professional services shall determine whether natural attenuation will achieve compliance with par. (c) 3. and with enforcement standards.

***-1465/P4.832* *-0808/2.306* SECTION 2360.** 101.143 (3) (cw) 4. of the statutes is amended to read:

101.143 **(3)** (cw) 4. The department of ~~commerce~~ safety and professional services may review and modify an amount established under subd. 1. if the department determines that new circumstances, including newly discovered contamination at a site, warrant those actions. The department of ~~commerce~~ safety and professional services and the department of natural resources may review and modify an amount established under subd. 2. if the departments determine that new

circumstances, including newly discovered contamination at a site, warrant those actions.

***-1465/P4.833* *-0808/2.307* SECTION 2361.** 101.143 (3) (d) of the statutes is amended to read:

101.143 **(3)** (d) *Final review of remedial action activities.* The department of natural resources or, if the discharge is covered under s. 101.144 (2) (b), the department of ~~commerce~~ safety and professional services shall complete a final review of the remedial action activities within 60 days after the claimant notifies the appropriate department that the remedial action activities are completed.

***-1465/P4.834* *-0808/2.308* SECTION 2362.** 101.143 (3) (f) 5. of the statutes is amended to read:

101.143 **(3)** (f) 5. The written approval of the department of natural resources or the department of ~~commerce~~ safety and professional services under par. (c) 4.

***-1465/P4.835* *-0808/2.309* SECTION 2363.** 101.143 (3) (g) of the statutes is amended to read:

101.143 **(3)** (g) *Emergency situations.* Notwithstanding pars. (a) 3. and (c) 1. and 2., an owner or operator or the person may submit a claim for an award under sub. (4) after notifying the department under par. (a) 3., without completing an investigation under par. (c) 1. and without preparing a remedial action plan under par. (c) 2. if an emergency existed which made the investigation under par. (c) 1. and the remedial action plan under par. (c) 2. inappropriate and, before conducting remedial action, the owner or operator or person notified the department of ~~commerce~~ safety and professional services and the department of natural resources of the emergency and the department of ~~commerce~~ safety and professional services and the department of natural resources authorized emergency action.

***-1465/P4.836* *-0808/2.310* SECTION 2364.** 101.143 (4) (a) 6. of the statutes is amended to read:

101.143 **(4)** (a) 6. In any fiscal year, the department may not award more than 5% of the amount appropriated under s. ~~20.143 (3)~~ 20.165 (2) (v) as awards for petroleum product storage systems described in par. (ei).

***-1465/P4.837* *-0808/2.311* SECTION 2365.** 101.143 (4) (a) 7. of the statutes is amended to read:

101.143 **(4)** (a) 7. In any fiscal year, the department may not award more than 5% of the amount appropriated under s. ~~20.143 (3)~~ 20.165 (2) (v) as awards for petroleum product storage systems that are owned by school districts and that are used for storing heating oil for consumptive use on the premises where stored.

***-1465/P4.838* *-1059/P3.518* SECTION 2366.** 101.143 (4) (cc) 2. b. of the statutes is amended to read:

101.143 **(4)** (cc) 2. b. An applicant that is engaged in the expansion or redevelopment of brownfields, as defined in s. ~~560.13~~ 238.13 (1) (a), if federal or state financial assistance other than under this section, has been provided for that expansion or redevelopment.

***-1465/P4.839* *-0808/2.312* SECTION 2367.** 101.143 (4) (ei) 2m. of the statutes is amended to read:

101.143 **(4)** (ei) 2m. The owner or operator of the farm tank has received a letter or notice from the department of ~~commerce~~ safety and professional services or department of natural resources indicating that the owner or operator must conduct a site investigation or remedial action because of a discharge from the farm tank or an order to conduct such an investigation or remedial action.

***-1465/P4.840* *-0808/2.313* SECTION 2368.** 101.143 (4) (es) 1. of the statutes is amended to read:

101.143 **(4)** (es) 1. The department shall issue an award for a claim filed after August 9, 1989, for eligible costs, under par. (b), incurred on or after August 1, 1987, by an owner or operator or a person owning a home oil tank system in investigating the existence of a discharge or investigating the presence of petroleum products in soil or groundwater if the investigation is undertaken at the written direction of the department of ~~commerce~~ safety and professional services or the department of natural resources and no discharge or contamination is found.

***-1465/P4.841* *-0808/2.314* SECTION 2369.** 101.144 (3) (b) of the statutes is amended to read:

101.144 **(3)** (b) The department of ~~commerce~~ safety and professional services requests the department of natural resources to take the action or issue the order.

***-1465/P4.842* *-0808/2.315* SECTION 2370.** 101.144 (3) (c) of the statutes is amended to read:

101.144 **(3)** (c) The secretary of natural resources approves the action or order in advance after notice to the secretary of ~~commerce~~ safety and professional services.

***-1465/P4.843* *-0808/2.316* SECTION 2371.** 101.144 (3g) (a) of the statutes is amended to read:

101.144 **(3g)** (a) If, on December 1, 1999, more than 35% of sites classified under this section, excluding sites that are contaminated by a hazardous substance other than a petroleum product or an additive to a petroleum product, are classified as high-risk sites, the department of ~~commerce~~ safety and professional services and the department of natural resources shall attempt to reach an agreement that specifies standards for determining whether the site of a discharge of a petroleum

product from a petroleum storage tank is classified as high risk. The standards shall be designed to classify no more than 35% of those sites as high-risk sites and may not classify all sites at which an enforcement standard is exceeded as high-risk sites. If the department of ~~commerce~~ safety and professional services and the department of natural resources are unable to reach an agreement, they shall refer the matters on which they are unable to agree to the secretary of administration for resolution. The secretary of administration shall resolve any matters on which the departments disagree in a manner that is consistent with this paragraph. The department of ~~commerce~~ safety and professional services shall promulgate rules incorporating any agreement between the department of ~~commerce~~ safety and professional services and the department of natural resources under this paragraph and any resolution of disagreements between the departments by the secretary of administration under this paragraph.

***-1465/P4.844* *-0808/2.317* SECTION 2372.** 101.144 (3g) (b) of the statutes is amended to read:

101.144 **(3g)** (b) If, 6 months after rules under par. (a) are in effect, more than 35% of the sites classified under this section, excluding sites that are contaminated by a hazardous substance other than a petroleum product or an additive to a petroleum product, are classified as high-risk sites, the department of ~~commerce~~ safety and professional services shall revise the rules using the procedure for promulgating the rules in par. (a).

***-1465/P4.845* *-0808/2.318* SECTION 2373.** 101.144 (3m) (a) (intro.) of the statutes is amended to read:

101.144 **(3m)** (a) (intro.) The department of ~~commerce~~ safety and professional services and the department of natural resources shall enter into a memorandum of understanding that does all of the following:

***-1465/P4.846* *-0808/2.319* SECTION 2374.** 101.144 (3m) (b) of the statutes is amended to read:

101.144 **(3m)** (b) The department of ~~commerce~~ safety and professional services and the department of natural resources shall submit a memorandum of understanding under this subsection to the secretary of administration for review. A memorandum of understanding under this subsection does not take effect until it is approved by the secretary of administration.

***-1465/P4.847* *-0808/2.320* SECTION 2375.** 101.149 (6) (b) of the statutes is amended to read:

101.149 **(6)** (b) The department shall promulgate rules, in consultation with the department of health services, under which the department of ~~commerce~~ safety and professional services shall authorize certified heating, ventilating, and air conditioning inspectors to conduct regular inspections of sealed combustion units, as required under par. (5) (c), for carbon monoxide emissions in residential buildings other than hotels, tourist rooming houses, and bed and breakfast establishments. The rules shall specify conditions under which it may issue orders as specified under sub. (8) (a). The rules may not require the department of ~~commerce~~ safety and professional services to authorize inspection of sealed combustion units during the period in which the sealed combustion units are covered by a manufacturer's warranty against defects.

***-1465/P4.848* *-0808/2.321* SECTION 2376.** 101.149 (8) (a) of the statutes is amended to read:

101.149 **(8)** (a) If the department of ~~commerce~~ safety and professional services or the department of health services determines after an inspection of a building under this section or s. 254.74 (1g) that the owner of the building has violated sub. (2) or (3), the respective department shall issue an order requiring the person to correct the violation within 5 days or within such shorter period as the respective department determines is necessary to protect public health and safety. If the person does not correct the violation within the time required, he or she shall forfeit $50 for each day of violation occurring after the date on which the respective department finds that the violation was not corrected.

***-1465/P4.849* *-0808/2.322* SECTION 2377.** 101.563 (2) (b) 1. of the statutes is amended to read:

101.563 **(2)** (b) 1. 'Payments from calendar year 2001 dues.' Notwithstanding s. 101.573 (3) (a), by the 30th day following July 30, 2002, the department shall compile the fire department dues paid by all insurers under s. 601.93 and the dues paid by the state fire fund under s. 101.573 (1) and funds remaining under s. 101.573 (3) (b), subtract the total amount due to be paid under par. (a), withhold 0.5%, and certify to the secretary of administration the proper amount to be paid from the appropriation under s. ~~20.143 (3)~~ 20.165 (2) (L) to each city, village, and town entitled to a proportionate share of fire department dues as provided under sub. (1) (b) and s. 101.575. If the department has previously certified an amount to the secretary of administration under s. 101.573 (3) (a) during calendar year 2002, the department shall recertify the amount in the manner provided under this subdivision. On or before August 1, 2002, the secretary of administration shall pay the amounts certified or recertified by the department under this subdivision to each city, village, and town entitled to a proportionate share of fire department dues as provided under

sub. (1) and s. 101.575. The secretary of administration may combine any payment due under this subdivision with any amount due to be paid on or before August 1, 2002, to the same city, village, or town under par. (a).

***-1465/P4.850* *-0808/2.323* SECTION 2378.** 101.563 (2) (b) 2. of the statutes is amended to read:

101.563 **(2)** (b) 2. 'Payments from dues for calendar years 2002 to 2004.' Notwithstanding s. 101.573 (3) (a) and except as otherwise provided in this subdivision, on or before May 1 in each year, the department shall compile the fire department dues paid by all insurers under s. 601.93 and the dues paid by the state fire fund under s. 101.573 (1) and funds remaining under s. 101.573 (3) (b), withhold 0.5% and certify to the secretary of administration the proper amount to be paid from the appropriation under s. ~~20.143 (3)~~ 20.165 (2) (L) to each city, village, and town entitled to a proportionate share of fire department dues as provided under sub. (1) (b) and s. 101.575. Annually, on or before August 1, the secretary of administration shall pay the amounts certified by the department to each such city, village, and town. This paragraph applies only to payment of a proportionate share of fire department dues collected for calendar years 2002 to 2004.

***-1465/P4.851* *-0808/2.324* SECTION 2379.** 101.573 (3) (a) of the statutes is amended to read:

101.573 **(3)** (a) On or before May 1 in each year, the department shall compile the fire department dues paid by all insurers under s. 601.93 and the dues paid by the state fire fund under sub. (1) and funds remaining under par. (b), withhold .5% and certify to the secretary of administration the proper amount to be paid from the appropriation under s. ~~20.143 (3)~~ 20.165 (2) (L) to each city, village, or town entitled to fire department dues under s. 101.575. Annually, on or before August 1, the

secretary of administration shall pay the amounts certified by the department to the cities, villages and towns eligible under s. 101.575.

***-1465/P4.852* *-0808/2.325* SECTION 2380.** 101.573 (5) of the statutes is amended to read:

101.573 **(5)** The department shall promulgate a rule defining "administrative expenses" for purposes of s. ~~20.143 (3)~~ 20.165 (2) (La).

***-1465/P4.853* *-0808/2.326* SECTION 2381.** 101.657 (5) of the statutes is amended to read:

101.657 **(5)** From the appropriation under s. ~~20.143 (3)~~ 20.165 (2) (j), beginning with fiscal year 2005-06, the department shall allocate $100,000 annually for the contract required under sub. (2) and at least $600,000 annually for the contract required under sub. (3).

***-1465/P4.854* *-0808/2.327* SECTION 2382.** 101.935 (2) (e) of the statutes is amended to read:

101.935 **(2)** (e) Section 254.69 (2), as it applies to an agent for the department of health services in the administration of s. 254.47, applies to an agent for the department of ~~commerce~~ safety and professional services in the administration of this section.

***-1465/P4.855* *-0808/2.328* SECTION 2383.** 101.951 (7) (a) of the statutes is amended to read:

101.951 **(7)** (a) The department of ~~commerce~~ safety and professional services may, without notice, deny the application for a license within 60 days after receipt thereof by written notice to the applicant, stating the grounds for the denial. Within 30 days after such notice, the applicant may petition the department of administration to conduct a hearing to review the denial, and a hearing shall be

scheduled with reasonable promptness. The division of hearings and appeals shall conduct the hearing. This paragraph does not apply to denials of applications for licenses under s. 101.02 (21).

***-1465/P4.856* *-0808/2.329* SECTION 2384.** 101.951 (7) (b) of the statutes is amended to read:

101.951 **(7)** (b) No license may be suspended or revoked except after a hearing thereon. The department of ~~commerce~~ safety and professional services shall give the licensee at least 5 days' notice of the time and place of the hearing. The order suspending or revoking such license shall not be effective until after 10 days' written notice thereof to the licensee, after such hearing has been had; except that the department of ~~commerce~~ safety and professional services, when in its opinion the best interest of the public or the trade demands it, may suspend a license upon not less than 24 hours' notice of hearing and with not less than 24 hours' notice of the suspension of the license. Matters involving suspensions and revocations brought before the department of ~~commerce~~ safety and professional services shall be heard and decided upon by the department of administration. The division of hearings and appeals shall conduct the hearing. This paragraph does not apply to licenses that are suspended or revoked under s. 101.02 (21).

***-1465/P4.857* *-0808/2.330* SECTION 2385.** 101.951 (7) (c) of the statutes is amended to read:

101.951 **(7)** (c) The department of ~~commerce~~ safety and professional services may inspect the pertinent books, records, letters and contracts of a licensee. The actual cost of each such examination shall be paid by such licensee so examined within 30 days after demand therefor by the department, and the department may

maintain an action for the recovery of such costs in any court of competent jurisdiction.

***-1465/P4.858* *-0808/2.331* SECTION 2386.** 101.953 (1) (a) of the statutes is amended to read:

101.953 **(1)** (a) A statement that the manufactured home meets those standards prescribed by law or administrative rule of the department of administration or of the department of ~~commerce~~ safety and professional services that are in effect at the time of the manufacture of the manufactured home.

***-1465/P4.859* *-0808/2.332* SECTION 2387.** 101.973 (8) of the statutes is amended to read:

101.973 **(8)** Deposit the moneys received from the fees under sub. (7) in the appropriation under s. ~~20.143 (3)~~ 20.165 (2) (j).

***-1195/2.132* SECTION 2388.** 102.29 (8r) of the statutes is amended to read:

102.29 **(8r)** No participant in a ~~food stamp~~ supplemental nutrition assistance employment and training program under s. ~~49.79 (9)~~ 49.37 (9) who, under s. ~~49.79 (9) (a) 5.~~ 49.37 (9) (a) 5., is provided worker's compensation coverage by the department of ~~health services~~ children and families or by a Wisconsin Works agency, as defined in s. 49.001 (9), or other provider under contract with the department of ~~health services~~ children and families or a county department under s. 46.215, 46.22, or 46.23 or tribal governing body to administer the ~~food stamp~~ supplemental nutrition assistance employment and training program and who makes a claim for compensation under this chapter may make a claim or maintain an action in tort against the employer who provided the employment and training from which the claim arose.

***-1146/1.27* SECTION 2389.** 106.14 (2) of the statutes is amended to read:

106.14 **(2)** The department shall publicize and maintain on its job center Web site information related to the job ~~programs under ss.~~ program under s. 49.147 (3) ~~and 49.162~~ so that employers and individuals seeking employment may obtain information about the ~~programs~~ program, including how to participate in ~~them~~ it.

***-0178/1.3* SECTION 2390.** 106.15 (3) (intro.) of the statutes is amended to read:

106.15 **(3)** GRANTS. (intro.) From the ~~appropriations~~ appropriation under s. 20.445 (1) ~~(bc), (jm), and~~ (m), the department shall make grants to persons providing employment and training activities to dislocated workers including all of the following:

***-1465/P4.860* *-1059/P3.519* SECTION 2391.** 106.16 (3) of the statutes is amended to read:

106.16 **(3)** A state agency or an authority under ch. 231 or 234 shall notify the ~~department of commerce~~ Wisconsin Economic Development Corporation if it makes a loan or grant to a company.

***-1465/P4.861* *-0808/2.333* SECTION 2392.** 106.20 (1) (e) of the statutes is amended to read:

106.20 **(1)** (e) "Minority business" has the meaning given in s. ~~560.036~~ 490.04 (1) (e).

***-1465/P4.862* *-0808/2.334* SECTION 2393.** 106.30 (2) of the statutes is amended to read:

106.30 **(2)** SURVEY FORM. Each odd-numbered year, the department of workforce development shall develop and submit to the department of ~~regulation and licensing~~ safety and professional services a survey form to gather data under s. 441.01 (7) (a) 1. to assist the department of workforce development in evaluating the

supply of, demand for, and turnover among nurses in this state and in determining whether there are any regional shortages of nurses, shortages of nurses in any speciality areas, or impediments to entering the nursing profession in this state.

***-1465/P4.863* *-0808/2.335* SECTION 2394.** 106.30 (5) (a) of the statutes is amended to read:

106.30 **(5)** (a) From the appropriation account under s. 20.445 (1) (km), the department of workforce development shall award grants equal to the amount appropriated under s. 20.445 (1) (km) minus the amount expended under sub. (4) to a nonprofit statewide nursing center that is comprised of and led by nurses and that has demonstrated coordination with constituent groups within the nursing community, including professional nursing organizations; organizations representing nurse educators, staff nurses, and nurse managers or executives; labor organizations representing nurses; the department of ~~regulation and licensing~~ safety and professional services; the department of health services; and legislators who are concerned with issues affecting the nursing profession.

***-1465/P4.864* *-0808/2.336* SECTION 2395.** 106.30 (5) (b) of the statutes is amended to read:

106.30 **(5)** (b) A statewide nursing center that receives a grant under par. (a) shall use the grant moneys to develop strategies to ensure that there is a nursing workforce that is adequate to meet the current and future health care needs of this state. The statewide nursing center may use those moneys to fund activities that are aimed at ensuring such a nursing workforce, including monitoring trends in the applicant pool for nursing education programs; evaluating the effectiveness of nursing education programs in increasing access to those programs and in enhancing career mobility for nurses, especially for populations that are

underrepresented in the nursing profession; and facilitating partnerships between the nursing community and other health care providers, the department of ~~regulation and licensing~~ safety and professional services, the business community, the legislature, and educators to promote diversity within the nursing profession, enhance career mobility and leadership development for nurses, and achieve consensus regarding policies aimed at ensuring an adequate nursing workforce in this state.

***-1465/P4.865* *-0808/2.337* SECTION 2396.** 106.50 (6) (a) 3. of the statutes is amended to read:

106.50 **(6)** (a) 3. The complaint may be filed by an aggrieved person, by an interested person, by the department of workforce development under par. (b) or, if the complaint charges a violation of sub. (2r) (c), by the department of ~~commerce~~ safety and professional services. The department of workforce development shall, upon request, provide appropriate assistance in completing and filing complaints.

***-1465/P4.866* *-0808/2.338* SECTION 2397.** 106.50 (6) (b) of the statutes is amended to read:

106.50 **(6)** (b) *Powers and duties of department.* The department of workforce development and its duly authorized agents may hold hearings, subpoena witnesses, take testimony and make investigations as provided in this subsection. The department of workforce development may test and investigate for the purpose of establishing violations of sub. (2), (2m) or (2r) and may make, sign and file complaints alleging violations of sub. (2), (2m) or (2r). In addition, the department of ~~commerce~~ safety and professional services may make, sign and file complaints alleging violations of sub. (2r) (c). The department of workforce development shall employ examiners to hear and decide complaints of discrimination under this

section, and to assist in the administration of this section. The examiners may make findings and issue orders under this subsection. The department of workforce development shall develop and implement an investigation manual for use in conducting investigations under par. (c).

***-1465/P4.867* *-0808/2.339* SECTION 2398.** 107.30 (4) of the statutes is amended to read:

107.30 **(4)** "Department" means the department of ~~commerce~~ safety and professional services.

***-1465/P4.868* *-0808/2.340* SECTION 2399.** 107.30 (10) of the statutes is amended to read:

107.30 **(10)** "Mining damage appropriation" means the appropriation under s. ~~20.143 (3)~~ 20.165 (2) (a).

***-1465/P4.869* *-0808/2.341* SECTION 2400.** 107.31 (5) (a) (intro.) of the statutes is amended to read:

107.31 **(5)** (a) *Calculation.* (intro.) The mining damage reserve accumulation is calculated by subtracting the total amount of all mining damages awards paid from the appropriation under s. 20.445 (4) (a), 2001 stats., beginning on May 22, 1980 or paid from the appropriation under s. ~~20.143 (3)~~ 20.165 (2) (a) from the sum of:

***-1465/P4.870* *-0808/2.342* SECTION 2401.** 108.02 (21e) (intro.) of the statutes is amended to read:

108.02 **(21e)** PROFESSIONAL EMPLOYER ORGANIZATION. (intro.) "Professional employer organization" means any person who is currently registered as a professional employer organization with the department of ~~regulation and licensing~~ safety and professional services in accordance with ch. 461, who contracts to provide the nontemporary, ongoing employee workforce of more than one client under a

written leasing contract, the majority of whose clients are not under the same ownership, management, or control as the person other than through the terms of the contract, and who under contract and in fact:

***-1465/P4.871* *-1059/P3.520* SECTION 2402.** 109.07 (1m) (b) of the statutes is amended to read:

109.07 **(1m)** (b) The department shall promptly provide a copy of the notice required under par. (a) ~~to the department of commerce and~~ to the office of the commissioner of insurance and shall cooperate ~~with the department of commerce in the performance of its responsibilities under s. 560.15 and~~ with the office of the commissioner of insurance in the performance of its responsibilities under s. 601.41 (7).

***-1356/2.27* SECTION 2403.** 111.70 (1) (a) of the statutes is amended to read:

111.70 **(1)** (a) "Collective bargaining" means the performance of the mutual obligation of a municipal employer, through its officers and agents, and the representative of its municipal employees in a collective bargaining unit, to meet and confer at reasonable times, in good faith, with the intention of reaching an agreement, or to resolve questions arising under such an agreement, with respect to wages, hours, and conditions of employment, and with respect to a requirement of the municipal employer for a municipal employee to perform law enforcement and fire fighting services under s. 60.553, 61.66, or 62.13 (2e) and for a school district with respect to any matter under sub. (4) (n) and (o), ~~and for a school district with respect to any matter under sub. (4) (n),~~ except as provided in subs. (3m), (3p), and (4) (m) and (mc) and s. 40.81 (3) and except that a municipal employer shall not meet and confer with respect to any proposal to diminish or abridge the rights guaranteed to municipal employees under ch. 164. The duty to bargain, however, does not compel

either party to agree to a proposal or require the making of a concession. Collective bargaining includes the reduction of any agreement reached to a written and signed document. The municipal employer shall not be required to bargain on subjects reserved to management and direction of the governmental unit except insofar as the manner of exercise of such functions affects the wages, hours, and conditions of employment of the municipal employees in a collective bargaining unit. In creating this subchapter the legislature recognizes that the municipal employer must exercise its powers and responsibilities to act for the government and good order of the jurisdiction which it serves, its commercial benefit and the health, safety, and welfare of the public to assure orderly operations and functions within its jurisdiction, subject to those rights secured to municipal employees by the constitutions of this state and of the United States and by this subchapter.

***-1019/5.134* SECTION 2404.** 111.70 (1) (a) of the statutes, as affected by 2011 Wisconsin Act .... (this act), is amended to read:

111.70 **(1)** (a) "Collective bargaining" means the performance of the mutual obligation of a municipal employer, through its officers and agents, and the representative of its municipal employees in a collective bargaining unit, to meet and confer at reasonable times, in good faith, with the intention of reaching an agreement, or to resolve questions arising under such an agreement, with respect to wages, hours, and conditions of employment, and with respect to a requirement of the municipal employer for a municipal employee to perform law enforcement and fire fighting services under s. 60.553, 61.66, or 62.13 (2e) and for a school district with respect to any matter under sub. (4) (n) and (o), except as provided in subs. ~~(3m),~~ (3p)~~,~~ and (4) (m) and (mc) and s. 40.81 (3) and except that a municipal employer shall not meet and confer with respect to any proposal to diminish or abridge the rights

1 guaranteed to municipal employees under ch. 164. The duty to bargain, however,
2 does not compel either party to agree to a proposal or require the making of a
3 concession. Collective bargaining includes the reduction of any agreement reached
4 to a written and signed document. The municipal employer shall not be required to
5 bargain on subjects reserved to management and direction of the governmental unit
6 except insofar as the manner of exercise of such functions affects the wages, hours,
7 and conditions of employment of the municipal employees in a collective bargaining
8 unit. In creating this subchapter the legislature recognizes that the municipal
9 employer must exercise its powers and responsibilities to act for the government and
10 good order of the jurisdiction which it serves, its commercial benefit and the health,
11 safety, and welfare of the public to assure orderly operations and functions within its
12 jurisdiction, subject to those rights secured to municipal employees by the
13 constitutions of this state and of the United States and by this subchapter.

****NOTE: This is reconciled s. 111.70 (1) (a). This SECTION has been affected by drafts with the following LRB numbers: 1019/4 and 1356/1.

14 ***-1019/5.135* SECTION 2405.** 111.70 (3m) of the statutes is repealed.

15 ***-1253/P1.1* SECTION 2406.** 111.70 (4) (d) 2. a. of the statutes is amended to
16 read:

17 111.70 **(4)** (d) 2. a. The commission shall determine the appropriate collective
18 bargaining unit for the purpose of collective bargaining and shall whenever possible,
19 unless otherwise required under this subchapter, avoid fragmentation by
20 maintaining as few collective bargaining units as practicable in keeping with the size
21 of the total municipal workforce. In making such a determination, the commission
22 may decide whether, in a particular case, the municipal employees in the same or
23 several departments, divisions, institutions, crafts, professions, or other

occupational groupings constitute a collective bargaining unit. Before making its determination, the commission may provide an opportunity for the municipal employees concerned to determine, by secret ballot, whether they desire to be established as a separate collective bargaining unit. The commission shall not decide, however, that any group of municipal employees constitutes an appropriate collective bargaining unit if the group includes both professional employees and nonprofessional employees, unless a majority of the professional employees vote for inclusion in the unit. The commission shall not decide that any group of municipal employees constitutes an appropriate collective bargaining unit if the group includes both craft employees and noncraft employees unless a majority of the craft employees vote for inclusion in the unit. The commission shall place the professional employees who are assigned to perform any services at a charter school, as defined in s. 115.001 (1), in a separate collective bargaining unit from a unit that includes any other professional employees whenever at least 30% of those professional employees request an election to be held to determine that issue and a majority of the professional employees at the charter school who cast votes in the election decide to be represented in a separate collective bargaining unit. ~~Upon the expiration of any collective bargaining agreement in force, the commission shall combine into a single collective bargaining unit 2 or more collective bargaining units consisting of school district employees if a majority of the employees voting in each collective bargaining unit vote to combine.~~ Any vote taken under this subsection shall be by secret ballot.

***-1205/1.1* SECTION 2407.** 111.70 (4) (m) 5. of the statutes is created to read:

111.70 **(4)** (m) 5. The prohibition in s. 118.205 against requiring teachers employed by a school board to reside within the school district.

***-0851/3.3* SECTION 2408.** 111.81 (7) (f) of the statutes is amended to read:

111.81 **(7)** (f) Instructional staff employed by the board of regents of the University of Wisconsin System who provide services for a charter school established by contract under s. 118.40 (2r) ~~(cm)~~ (b) 1. e.

***-1187/P5.410* SECTION 2409.** 111.81 (7) (h) of the statutes is created to read:

111.81 **(7)** (h) Staff appointed by the Board of Trustees of the University of Wisconsin-Madison except faculty, academic staff, limited term employees, sessional employees, project employees, supervisors, management, persons who are privy to confidential matters affecting the employer-employee relationship, persons whose employment is a necessary part of their training, student assistants, and student hourly help.

***-1187/P5.411* SECTION 2410.** 111.81 (8) of the statutes is amended to read:

111.81 **(8)** "Employer" means the state of Wisconsin, or, with respect to the employees under sub. (7) (h), the University of Wisconsin-Madison.

***-1187/P5.412* SECTION 2411.** 111.81 (15m) of the statutes is amended to read:

111.81 **(15m)** "Program assistant" or "project assistant" means a graduate student enrolled in the University of Wisconsin System or at the University of Wisconsin-Madison who is assigned to conduct research, training, administrative responsibilities or other academic or academic support projects or programs, except regular preparation of instructional materials for courses or manual or clerical assignments, under the supervision of a member of the faculty or academic staff, as defined in s. 36.05 (1) or (8) or 37.01 (5), primarily for the benefit of the university, faculty or academic staff supervisor or a granting agency. "Project assistant" or "program assistant" does not include a graduate student who does work which is primarily for the benefit of the student's own learning and research and which is independent or self-directed.

***-1187/P5.413* SECTION 2412.** 111.81 (17m) of the statutes is amended to read:

111.81 **(17m)** "Research assistant" means a graduate student enrolled in the University of Wisconsin System or at the University of Wisconsin-Madison who is receiving a stipend to conduct research that is primarily for the benefit of the student's own learning and research and which is independent or self-directed, but does not include students provided fellowships, scholarships, or traineeships which are distributed through other titles such as advanced opportunity fellow, fellow, scholar, or trainee, and does not include students with either an F-1 or a J-1 visa issued by the federal department of state.

***-1187/P5.414* SECTION 2413.** 111.81 (19m) of the statutes is amended to read:

111.81 **(19m)** "Teaching assistant" means a graduate student enrolled in the University of Wisconsin System or at the University of Wisconsin-Madison who is regularly assigned teaching and related responsibilities, other than manual or clerical responsibilities, under the supervision of a member of the faculty as defined in s. 36.05 (8) or 37.01 (5).

***-1187/P5.415* SECTION 2414.** 111.815 (1) of the statutes is amended to read:

111.815 **(1)** In the furtherance of this subchapter, the state shall be considered as a single employer and employment relations policies and practices throughout the state service shall be as consistent as practicable. The office shall negotiate and administer collective bargaining agreements except that the department of health services, subject to the approval of the federal centers for medicare and medicaid services to use collective bargaining as the method of setting rates for reimbursement of home care providers, shall negotiate and administer collective

bargaining agreements entered into with the collective bargaining unit specified in s. 111.825 (2g). To coordinate the employer position in the negotiation of agreements, the office, or the department of health services with regard to collective bargaining agreements entered into with the collective bargaining unit specified in s. 111.825 (2g), shall maintain close liaison with the legislature relative to the negotiation of agreements and the fiscal ramifications of those agreements. Except with respect to the collective bargaining units specified in s. 111.825 (1g), (1m), (2) (f), and (2g), the office is responsible for the employer functions of the executive branch under this subchapter, and shall coordinate its collective bargaining activities with operating state agencies on matters of agency concern. The legislative branch shall act upon those portions of tentative agreements negotiated by the office that require legislative action. With respect to the collective bargaining units specified in s. 111.825 (1g), the University of Wisconsin-Madison is responsible for the employer functions under this subchapter. With respect to the collective bargaining units specified in s. 111.825 (1m), the University of Wisconsin Hospitals and Clinics Board is responsible for the employer functions under this subchapter. With respect to the collective bargaining unit specified in s. 111.825 (2) (f), the governing board of the charter school established by contract under s. 118.40 (2r) ~~(cm)~~ (b) 1. e. is responsible for the employer functions under this subchapter. With respect to the collective bargaining unit specified in s. 111.825 (2g), the department of health services is responsible for the employer functions of the executive branch under this subchapter.

****NOTE: This is reconciled s. 111.815 (1). This SECTION has been affected by drafts with the following LRB numbers: LRB-1187 and LRB-0851.

***-1187/P5.416*** **SECTION 2415.** 111.815 (2) of the statutes is amended to read:

111.815 **(2)** In the furtherance of the policy under s. 111.80 (4), the director of the office shall, together with the appointing authorities or their representatives, represent the state in its responsibility as an employer under this subchapter except with respect to negotiations in the collective bargaining units specified in s. 111.825 (1g), (1m), (2) (f), and (2g). The director of the office shall establish and maintain, wherever practicable, consistent employment relations policies and practices throughout the state service.

***-1187/P5.417* SECTION 2416.** 111.825 (1g) of the statutes is created to read:

111.825 **(1g)** Collective bargaining units at the University of Wisconsin-Madison are structured with one or more collective bargaining units for each of the following groups:

(a) Program assistants; project assistants; and teaching assistants of the University of Wisconsin-Madison.

(b) Research assistants of the University of Wisconsin-Madison.

(c) Employees under s. 111.81 (7) (h) who are not included under par. (a) or (b).

***-1187/P5.418* SECTION 2417.** 111.825 (2) (a) of the statutes is amended to read:

111.825 **(2)** (a) The program, project and teaching assistants of ~~the University of Wisconsin-Madison and~~ the University of Wisconsin-Extension.

***-0851/3.4* SECTION 2418.** 111.825 (2) (f) of the statutes is amended to read:

111.825 **(2)** (f) Instructional staff employed by the board of regents of the University of Wisconsin System who provide services for a charter school established by contract under s. 118.40 (2r) ~~(cm)~~ (b) 1. e.

***-1187/P5.419* SECTION 2419.** 111.825 (2) (g) of the statutes is amended to read:

111.825 **(2)** (g) Research assistants of the ~~University of Wisconsin-Madison and~~ University of Wisconsin-Extension.

***-1187/P5.420* SECTION 2420.** 111.825 (3) of the statutes is amended to read:

111.825 **(3)** The commission shall assign employees to the appropriate collective bargaining units set forth in subs. (1), (1g), (1m), (2), and (2g).

***-1187/P5.421* SECTION 2421.** 111.825 (4) of the statutes is amended to read:

111.825 **(4)** Any labor organization may petition for recognition as the exclusive representative of a collective bargaining unit specified in sub. (1), (1g), (1m), (2), or (2g) in accordance with the election procedures set forth in s. 111.83, provided the petition is accompanied by a 30% showing of interest in the form of signed authorization cards. Each additional labor organization seeking to appear on the ballot shall file petitions within 60 days of the date of filing of the original petition and prove, through signed authorization cards, that at least 10% of the employees in the collective bargaining unit want it to be their representative.

***-1187/P5.422* SECTION 2422.** 111.84 (2) (c) of the statutes is amended to read:

111.84 **(2)** (c) To refuse to bargain collectively on matters set forth in s. 111.91 (1) with the duly authorized officer or agent of the employer which is the recognized or certified exclusive collective bargaining representative of employees specified in s. 111.81 (7) (a) in an appropriate collective bargaining unit or with the certified exclusive collective bargaining representative of employees specified in s. 111.81 (7) (b) to ~~(g)~~ (h) in an appropriate collective bargaining unit. Such refusal to bargain shall include, but not be limited to, the refusal to execute a collective bargaining agreement previously orally agreed upon.

***-1258/2.4* SECTION 2423.** 111.91 (2) (n) of the statutes is amended to read:

111.91 **(2)** (n) The provision to employees of the health insurance coverage required under s. 632.895 (11) to (14), (16), and (16m) ~~and (17)~~.

***-1187/P5.423* SECTION 2424.** 111.915 of the statutes is amended to read:

**111.915 Labor proposals.** ~~The~~ Except with respect to a collective bargaining unit specified in s. 111.825 (1g), the director of the office shall notify and consult with the joint committee on employment relations, in such form and detail as the committee requests, regarding substantial changes in wages, employee benefits, personnel management, and program policy contract provisions to be included in any contract proposal to be offered to any labor organization by the state or to be agreed to by the state before such proposal is actually offered or accepted.

***-1187/P5.424* SECTION 2425.** 111.92 (1) (am) of the statutes is created to read:

111.92 **(1)** (am) Any tentative agreement reached between the University of Wisconsin-Madison, acting for the state, and any labor organization representing a collective bargaining unit specified in s. 111.825 (1g) shall, after official ratification by the labor organization, be executed by the parties.

***-0851/3.5* SECTION 2426.** 111.92 (1) (c) of the statutes is amended to read:

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

***-1187/P5.425* SECTION 2427.** 111.93 (2) of the statutes is amended to read:

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

***-1187/P5.426* SECTION 2428.** 111.93 (3) of the statutes is amended to read:

111.93 **(3)** Except as provided in ss. 7.33 (4), 40.05, 40.80 (3), 111.91 (1) (cm), 230.35 (2d) and (3) (e) 6., and 230.88 (2) (b), if a collective bargaining agreement exists between the employer and a labor organization representing employees in a collective bargaining unit, the provisions of that agreement shall supersede the provisions of civil service and other applicable statutes, as well as rules and policies of the ~~board of regents~~ Board of Regents of the University of Wisconsin System and rules and policies of the Board of Trustees of the University of Wisconsin-Madison, related to wages, fringe benefits, hours, and conditions of employment whether or not the matters contained in those statutes, rules, and policies are set forth in the collective bargaining agreement.

***-1187/P5.427* SECTION 2429.** 111.935 (2) of the statutes is amended to read:

111.935 **(2)** Notwithstanding s. 111.83 (2), the commission shall establish a procedure whereby research assistants may determine whether to form themselves into collective bargaining units under s. 111.825 (1g) (b) or (2) (g), (h), or (i) by authorization cards in lieu of secret ballot. The procedure shall provide that once a majority of research assistants have indicated their preference on the authorization cards to form themselves into a collective bargaining unit, the collective bargaining unit is established.

****NOTE: This subch. V of chapter 111 is substantially affected by the Special Session Budget Repair Bill. It will need to be reconciled with the Act; I have not included those treatments because it may be amended as it travels through the legislative process. Subchapter VI is being repealed by that bill. If any part is not repealed, we will amend those sections in this bill after the budget repair bill passes both houses.

***-1465/P4.872* *-1059/P3.521* SECTION 2430.** 114.31 (6) of the statutes is amended to read:

114.31 **(6)** TECHNICAL SERVICES TO MUNICIPALITIES. The secretary may, insofar as is reasonably possible, offer the engineering or other technical service of the department, to any municipality desiring them in connection with the construction, maintenance or operation or proposed construction, maintenance or operation of an airport. The secretary may assess reasonable costs for services including services performed while acting as agent for a municipality. Such assessment shall include properly allocated administrative costs. Municipalities are authorized to cooperate with the secretary in the development of aeronautics and aeronautical facilities in this state. The ~~department of commerce~~ Wisconsin Economic Development Corporation and all ~~other~~ agencies are authorized and directed to make available such facilities and services, and to cooperate as far as possible to promote the best interests of aeronautics of the state.

***-1465/P4.873* *-0805/P2.24* SECTION 2431.** 114.33 (10) of the statutes is amended to read:

114.33 **(10)** Subject to the approval of the governor under this subsection, the secretary may sell at public or private sale property of whatever nature owned by the state and under the jurisdiction of the secretary when the secretary determines that the property is no longer necessary for the state's use for airport purposes ~~and, if real property, the real property is not the subject of a petition under s. 560.9810~~. The secretary shall present to the governor a full and complete report of the property to

be sold, the reason for the sale, and the minimum price for which the property should be sold, together with an application for the governor's approval of the sale. The governor shall investigate the proposed sale as he or she deems necessary and approve or disapprove the application. Upon approval and receipt of the full purchase price, the secretary shall by appropriate deed or other instrument transfer the property to the purchaser. The funds derived from the sale shall be deposited in the appropriate airport fund, and the expense incurred by the secretary in connection with the sale shall be paid from that fund. This subsection does not apply to real property that is sold under s. 16.848.

***-1184/P1.1* SECTION 2432.** 115.001 (11) of the statutes is amended to read:

115.001 **(11)** SCHOOL NURSE. "School nurse" means a registered nurse licensed under s. 441.06 or in a party state, as defined in s. 441.50 (2) (j)~~, who also meets the qualifications for school nurses prescribed by the department by rule~~.

***-0841/P2.1* SECTION 2433.** 115.01 (10) (a) of the statutes is renumbered 115.01 (10).

***-0841/P2.2* SECTION 2434.** 115.01 (10) (b) of the statutes is repealed.

****NOTE: Section 115.01 (10) provides a definition for "school day". In this draft, I repeal s. 115.01 (10) (b), which is a substantive application of the definition of school day, and place the substance of this paragraph into s. 121.02 (1) (f). I do not repeal s. 115.01 (10) (a), which establishes substantive law by providing that certain days on which school is not taught are nevertheless school days. Under current law, these school days on which school is not taught count towards the 180-day requirement.

In this draft, I convert the days on which school is not taught to hours; I assumed that each school day consists of 7 hours. Finally, I amend s. 121.006 (2) (a) to provide that the hours on which school is not taught may be subtracted from the required hours of direct pupil instruction. Are you comfortable with this approach? And is there any reason to retain the definition for "school day" at s. 115.01 (10)?

***-1279/3.2* SECTION 2435.** 115.28 (12) of the statutes is created to read:

115.28 **(12)** STUDENT INFORMATION SYSTEM. (a) Working with the office of the governor, establish a student information system to collect and maintain

information about pupils enrolled in public schools, including their academic performance and demographic information, aggregated by school district, school, and teacher. Annually by May 1, the state superintendent shall submit to the governor a plan for the expenditure of moneys appropriated in s. 20.255 (1) (e) in the succeeding fiscal year. The state superintendent may not expend or encumber moneys appropriated under s. 20.255 (1) (e) in any fiscal year unless the governor approves the plan for that fiscal year.

(b) Charge a fee, on a per pupil basis, to any school district that uses the system under par. (a). The state superintendent may charge a fee to any other person that uses the system. All fees shall be credited to the appropriation account under s. 20.255 (1) (jm).

***-1213/1.17* SECTION 2436.** 115.28 (24) of the statutes is amended to read:

115.28 **(24)** PRIORITY IN AWARDING GRANTS. Give priority in awarding grants to school boards under ~~ss.~~ s. 115.36 ~~and 115.361~~, and in awarding grants from federal funds received under 20 USC 2301 to 2471, 20 USC 4601 to 4665 and 29 USC 2862 (b) (1) (B), to programs that provide more than one of the educational services specified under s. 115.36, ~~115.361,~~ 115.915, 118.01 (2) (d) 7. or 8. ~~or 118.153~~ or 20 USC 2301 to 2471, 20 USC 4601 to 4665 or 29 USC 2862 (b) (1) (B).

***-1213/1.18* SECTION 2437.** 115.28 (35) of the statutes is repealed.

***-1213/1.19* SECTION 2438.** 115.28 (39) of the statutes is amended to read:

115.28 **(39)** ALCOHOL AND OTHER DRUG ABUSE REPORT. ~~By July 1, 1998, and biennially~~ Biennially by July 1 ~~thereafter~~, evaluate the effectiveness of the programs under ~~ss.~~ s. 115.36 ~~and 115.361~~ and submit a report to the legislature under s. 13.172 (2). ~~To satisfy this reporting requirement as it pertains to s. 115.361, the department~~

~~may incorporate into the report under this subsection the report required under s. 115.361 (2).~~

***-1213/1.20* SECTION 2439.** 115.28 (45) of the statutes is repealed.

***-1213/1.21* SECTION 2440.** 115.28 (46) of the statutes is repealed.

***-1213/1.22* SECTION 2441.** 115.28 (47) of the statutes is repealed.

***-1187/P5.428* SECTION 2442.** 115.297 (1) (a) of the statutes is amended to read:

115.297 **(1)** (a) "Agencies" means the department, the ~~board of regents~~ Board of Regents of the University of Wisconsin System, the Board of Trustees of the University of Wisconsin–Madison, the technical college system board, and the Wisconsin Association of Independent Colleges and Universities.

***-1213/1.23* SECTION 2443.** 115.31 (1) (b) of the statutes is amended to read:

115.31 **(1)** (b) "Educational agency" means a school district, cooperative educational service agency, state correctional institution under s. 302.01, juvenile correctional facility, as defined in s. 938.02 (10p), secured residential care center for children and youth, as defined in s. 938.02 (15g), the Wisconsin Center for the Blind and Visually Impaired, the Wisconsin Educational Services Program for the Deaf and Hard of Hearing, the Mendota Mental Health Institute, the Winnebago Mental Health Institute, a state center for the developmentally disabled, or a private school~~,~~ ~~or a private, nonprofit, nonsectarian agency under contract with a school board under s. 118.153 (3) (c)~~.

***-1465/P4.874* *-0808/2.343* SECTION 2444.** 115.33 (2) (a) (intro.) of the statutes is amended to read:

115.33 **(2)** (a) (intro.) The state superintendent may request the department of ~~commerce~~ safety and professional services to inspect a public school if any of the following occurs:

***-1465/P4.875* *-0808/2.344* SECTION 2445.** 115.33 (2) (b) of the statutes is amended to read:

115.33 **(2)** (b) The department of ~~commerce~~ safety and professional services shall inspect the school within 30 days after receiving a request from the state superintendent under par. (a).

***-1465/P4.876* *-0808/2.345* SECTION 2446.** 115.33 (3) (a) of the statutes is amended to read:

115.33 **(3)** (a) If the state superintendent determines that a school is not in compliance, and the department of ~~commerce~~ safety and professional services, based on its inspection of the school, concurs in the determination, the state superintendent may order the school board to repair, improve, remodel or close the school by a stated date. An order issued under this paragraph constitutes a preliminary finding of noncompliance with the standard under s. 121.02 (1) (i).

***-1465/P4.877* *-0808/2.346* SECTION 2447.** 115.33 (3) (b) 1. of the statutes is amended to read:

115.33 **(3)** (b) 1. If the state superintendent determines that a school is not in compliance and is not worth repairing, and the department of ~~commerce~~ safety and professional services, based on its inspection of the school, concurs in the determination, the state superintendent may order the school board to develop a plan that describes how the school board will achieve compliance with the standard under s. 121.02 (1) (i). The plan shall specify the time within which compliance with the standard under s. 121.02 (1) (i) shall be achieved. The state superintendent shall

hold a public hearing on the plan in the school district and may, as a result of the hearing, recommend changes to the plan. The state superintendent may withhold up to 25% of the school district's state aid if the school district fails to achieve compliance with the standard under s. 121.02 (1) (i) within the period specified in the plan.

***-1195/2.133* SECTION 2448.** 115.347 (2) of the statutes is amended to read:

115.347 **(2)** Whenever a school district that is located in whole or in part in a county that has converted to the client assistance for reemployment and economic support data system submits a report under sub. (1) in the prescribed format, the department of children and families shall determine which children enrolled in the school district are members of Wisconsin Works groups participating under s. 49.147 (3) to (5) or of families receiving aid to families with dependent children or ~~food stamps~~ benefits under the supplemental nutrition assistance program under 7 USC 2011 to 2036 and shall provide the information to the school board as soon thereafter as possible. The school board shall use the information to directly certify children as eligible for free or reduced-price meals served by the school district under federal school nutrition programs, pursuant to 42 USC 1758 (b) (2) (C) (ii) and (iii).

***-1213/1.24* SECTION 2449.** 115.361 of the statutes is repealed.

***-1213/1.25* SECTION 2450.** 115.366 of the statutes is repealed.

***-0046/3.3* SECTION 2451.** 115.39 of the statutes is repealed.

***-1061/P1.2* SECTION 2452.** 115.405 (2m) of the statutes is repealed.

***-1187/P5.429* SECTION 2453.** 115.43 (2) (b) of the statutes is amended to read:

115.43 **(2)** (b) From the appropriation under s. 20.255 (3) (fz), award precollege scholarships, on a competitive basis, to economically disadvantaged pupils who

enroll in a technical college or in college or university classes or programs designed to improve academic skills that are essential for success in postsecondary school education. The state superintendent shall give preference to economically disadvantaged pupils who are inadequately represented in the technical college and University of Wisconsin Systems and the University of Wisconsin–Madison.

***-1213/1.26* SECTION 2454.** 115.435 of the statutes is repealed.

***-1213/1.27* SECTION 2455.** 115.45 of the statutes is repealed.

***-0046/3.4* SECTION 2456.** 115.53 (3) (a) and (b) of the statutes are consolidated, renumbered 115.53 (3) and amended to read:

115.53 **(3)** Arrange for otological or ophthalmic examination of any pupil or prospective pupil of the school operated by the Wisconsin Educational Services Program for the Deaf and Hard of Hearing~~. The examination shall be paid for from the appropriation in s. 20.255 (1) (b), (gh) or (gs). (b) Arrange for ophthalmic or otological examination of any pupil or prospective pupil of~~ or the school operated by the Wisconsin Center for the Blind and Visually Impaired. The examination shall be paid for from the appropriation ~~in~~ under s. 20.255 (1) (b), ~~(gh),~~ (gL), or (gs).

***-0046/3.5* SECTION 2457.** 115.53 (4) (unnumbered first par.) and (a) of the statutes are consolidated, renumbered 115.53 (4) and amended to read:

115.53 **(4)** Apply to the board of directors of the University of Wisconsin Hospitals and Clinics Authority for admission to the University of Wisconsin Hospitals and Clinics of any pupil at the school operated by the Wisconsin Educational Services Program for the Deaf and Hard of Hearing or the school operated by the Wisconsin Center for the Blind and Visually Impaired. ~~(a)~~ The application shall be accompanied by the report of a physician appointed by the director of the Wisconsin Educational Services Program for the Deaf and Hard of

1 Hearing or the director of the Wisconsin Center for the Blind and Visually Impaired
2 and shall be in the same form as reports of other physicians for admission of patients
3 to such hospital.

4 ***-0046/3.6* SECTION 2458.** 115.53 (4) (b) of the statutes is repealed.

5 ***-1187/P5.430* SECTION 2459.** 116.01 of the statutes is amended to read:

6 **116.01 Purpose.** The organization of school districts in Wisconsin is such that
7 the legislature recognizes the need for a service unit between the school district and
8 the state superintendent. The cooperative educational service agencies are designed
9 to serve educational needs in all areas of Wisconsin by serving as a link both between
10 school districts and between school districts and the state. Cooperative educational
11 service agencies may provide leadership, coordination, and education services to
12 school districts, University of Wisconsin System institutions, the University of
13 Wisconsin–Madison, and technical colleges. Cooperative educational service
14 agencies may facilitate communication and cooperation among all public, private,
15 and tribal schools, and all public and private agencies and organizations, that
16 provide services to pupils.

17 ***-1187/P5.431* SECTION 2460.** 116.032 (1) of the statutes is amended to read:

18 116.032 **(1)** Subject to subs. (2) to (5), for the purpose of providing services to
19 pupils, a board of control may contract with school districts, University of Wisconsin
20 System institutions, the University of Wisconsin–Madison, technical college district
21 boards, private schools, tribal schools, and agencies or organizations that provide
22 services to pupils. A board of control may also contract with one or more school
23 boards to operate a charter school under s. 118.40 (3) (c).

24 ***-1213/1.28* SECTION 2461.** 117.15 (6) of the statutes is amended to read:

117.15 **(6)** The socioeconomic level and racial composition of the pupils who reside or will reside in territory proposed to be detached from one school district and attached to an adjoining school district, in territory proposed to be included in a new school district under s. 117.105 or in school districts proposed to be consolidated or in a school district proposed to be dissolved; the proportion of the pupils who reside in such territory who are children at risk~~, as defined under s. 118.153 (1) (a)~~; and the effect that the pupils described in this paragraph will have on the present and future socioeconomic level and racial composition of the affected school districts and on the proportion of the affected school districts' enrollments that will be children at risk.

***-0856/1.1* SECTION 2462.** 118.015 (2) of the statutes is repealed.

***-0856/1.2* SECTION 2463.** 118.015 (3) (title) of the statutes is repealed.

***-0856/1.3* SECTION 2464.** 118.015 (3) (intro.) of the statutes is repealed.

***-0856/1.4* SECTION 2465.** 118.015 (3) (a) of the statutes is renumbered 118.015 (4) (am).

***-0856/1.5* SECTION 2466.** 118.015 (3) (b) of the statutes is repealed.

***-0856/1.6* SECTION 2467.** 118.015 (3) (c) of the statutes is repealed.

***-0856/1.7* SECTION 2468.** 118.015 (3) (d) of the statutes is repealed.

***-0856/1.8* SECTION 2469.** 118.015 (3) (e) of the statutes is renumbered 118.015 (4) (bm).

***-1465/P4.878* *-0808/2.347* SECTION 2470.** 118.07 (2) (b) of the statutes is amended to read:

118.07 **(2)** (b) In each community having a recognized fire department, the person having direct charge of any public or private school shall annually file a report pertaining to such drills, on a form furnished by the department of ~~commerce~~ safety and professional services, with the chief of the fire department. When no fire drill

is held during any month, or when only one or no tornado or other hazard drill is held in a year, the person having direct charge of the school shall state the reasons in the report.

***-1465/P4.879* *-0808/2.348* SECTION 2471.** 118.075 (2) (a) 2. of the statutes is amended to read:

118.075 **(2)** (a) 2. The secretary of ~~commerce~~ safety and professional services or his or her designee.

***-1183/P1.1* SECTION 2472.** 118.075 (2) (f) of the statutes is amended to read:

118.075 **(2)** (f) Upon completing its duties under par. (e), the task force shall report its findings and recommendations to the appropriate standing committees of the legislature under s. 13.172 (3) and to the governor. The task force shall cease to exist on the date on which the department issues its model management plan ~~under sub. (3)~~.

***-1183/P1.2* SECTION 2473.** 118.075 (3) of the statutes is repealed.

***-1183/P1.3* SECTION 2474.** 118.075 (4) of the statutes is repealed.

***-1465/P4.880* *-0808/2.349* SECTION 2475.** 118.135 (2) of the statutes is amended to read:

118.135 **(2)** A pupil who complies with a request under sub. (1) shall provide evidence of an eye examination or evaluation by December 31 following the pupil's enrollment in kindergarten. The school board or charter school shall provide pupils with the form distributed by the department of ~~regulation and licensing~~ safety and professional services under s. 440.03 (16) for that purpose.

***-1213/1.29* SECTION 2476.** 118.15 (1) (b) of the statutes is amended to read:

118.15 **(1)** (b) Upon the child's request of the school board and with the written approval of the child's parent or guardian, any child who is 16 years of age or over

and a child at risk~~, as defined in s. 118.153 (1) (a),~~ may attend, in lieu of high school or on a part-time basis, a technical college if the child and his or her parent or guardian agree, in writing, that the child will participate in a program leading to the child's high school graduation. The district board of the technical college district in which the child resides shall admit the child. Every technical college district board shall offer day class programs satisfactory to meet the requirements of this paragraph and s. 118.33 (3m) as a condition to the receipt of any state aid.

***-1213/1.30* SECTION 2477.** 118.153 (title) and (1) (intro.) of the statutes are repealed.

***-1213/1.31* SECTION 2478.** 118.153 (1) (a) of the statutes is renumbered 115.001 (1m).

***-1213/1.32* SECTION 2479.** 118.153 (1) (b) of the statutes is renumbered 115.001 (2m).

***-1213/1.33* SECTION 2480.** 118.153 (2) to (7) of the statutes are repealed.

***-1213/1.34* SECTION 2481.** 118.16 (2) (cg) 2. of the statutes is amended to read:

118.16 **(2)** (cg) 2. A statement that the parent, guardian or child may request program or curriculum modifications for the child under s. 118.15 (1) (d) ~~and that the child may be eligible for enrollment in a program for children at risk under s. 118.153 (3)~~.

***-1213/1.35* SECTION 2482.** 118.16 (2m) (a) 2. of the statutes is amended to read:

118.16 **(2m)** (a) 2. An employee of the school district who is directly involved in the provision of a modified program or curriculum under s. 118.15 (1) (d)~~, a program for children at risk under s. 118.153~~ or an alternative educational program

under s. 119.82 or any other alternative educational program to children who attend the school attended by the truant child, if the school district administrator believes that the program or curriculum may be appropriate for the truant child.

***-1213/1.36* SECTION 2483.** 118.163 (1) (a) of the statutes is repealed.

***-1189/1.1* SECTION 2484.** 118.19 (1) of the statutes is amended to read:

118.19 **(1)** Except as provided in s. 118.40 (8) (b) 2., any person seeking to teach in a public school, including a charter school other than a charter school established under s. 118.40 (2r), or in a school or institution operated by a county or the state shall first procure a license or permit from the department.

***-1205/1.2* SECTION 2485.** 118.205 of the statutes is created to read:

**118.205 Residency requirements. (1)** In this section, "teacher" means any person holding a license or permit issued by the state superintendent whose employment by a school district requires that he or she hold that license or permit.

**(2)** A school board may not require, as a condition of employment, that a teacher reside within the school district.

***-1245/P1.1* SECTION 2486.** 118.29 (6) of the statutes, as created by 2009 Wisconsin Act 160, is amended to read:

118.29 **(6)** TRAINING. Notwithstanding sub. (2) (a) 1. to 2r., no school bus driver, employee, or volunteer may administer a nonprescription drug product or prescription drug under sub. (2) (a) 1. or 2., use an epinephrine auto-injector under sub. (2) (a) 2m., or administer glucagon under sub. (2) (a) 2r. unless he or she has received training~~, approved by the department,~~ in administering nonprescription drug products and prescription drugs. This subsection does not apply to health care professionals.

***-0982/1.1* SECTION 2487.** 118.35 (4) of the statutes is amended to read:

118.35 **(4)** From the appropriation under s. 20.255 (2) (fy), the department shall award grants to nonprofit organizations, cooperative educational service agencies, the University of Wisconsin–Madison, and the school district operating under ch. 119 for the purpose of providing ~~advanced curriculum and assessments for~~ to gifted and talented pupils those services and activities not ordinarily provided in a regular school program that allow such pupils to fully develop their capabilities.

***-0841/P2.3* SECTION 2488.** 118.38 (2) (bm) of the statutes is amended to read:

118.38 **(2)** (bm) The department shall promulgate rules establishing criteria for waiving the requirement to schedule at least the number of hours of direct pupil instruction specified under s. 121.02 (1) (f) ~~2.~~ if school is closed for a reason specified in s. 115.01 (10) ~~(a) 2. or 3.~~ (b) or (c).

***-0851/3.6* SECTION 2489.** 118.40 (2r) (b) 1. b. and c. of the statutes are repealed.

***-0851/3.7* SECTION 2490.** 118.40 (2r) (b) 1. e. of the statutes is created to read:

118.40 **(2r)** (b) 1. e. The chancellor of an institution, as defined in s. 36.05 (9), within the University of Wisconsin System.

***-1187/P5.432* SECTION 2491.** 118.40 (2r) (b) 1. g. of the statutes is created to read:

118.40 **(2r)** (b) 1. g. The chancellor of the University of Wisconsin–Madison.

***-0851/3.8* SECTION 2492.** 118.40 (2r) (b) 2. of the statutes is amended to read:

118.40 **(2r)** (b) 2. A charter shall include all of the provisions specified under sub. (1m) (b) 3. to 14. A contract shall include all of the provisions specified under sub. (1m) (b) 1. to 14. and shall specify the effect of the establishment of the charter school on the liability of the contracting entity under this paragraph. The contract may include other provisions agreed to by the parties. The chancellor of ~~the~~

~~University of Wisconsin-Milwaukee or of the University of Wisconsin-Parkside may not~~ an institution within the University of Wisconsin System may not establish or enter into a contract for the establishment of a charter school under this paragraph without the approval of the board of regents of the University of Wisconsin System.

***-0851/3.9* SECTION 2493.** 118.40 (2r) (b) 3. of the statutes is repealed.

***-0851/3.10* SECTION 2494.** 118.40 (2r) (bm) of the statutes is amended to read:

118.40 **(2r)** (bm) The common council of the city of Milwaukee~~, the chancellor of the University of Wisconsin-Milwaukee,~~ and the Milwaukee area technical college district board may ~~only~~ establish or enter into a contract for the establishment of a charter school ~~located~~ only in the school district operating under ch. 119. ~~The chancellor of the University of Wisconsin-Parkside may only establish or enter into a contract for the establishment of a charter school located in a unified school district that is located in the county in which the University of Wisconsin-Parkside is situated or in an adjacent county.~~

***-0851/3.11* SECTION 2495.** 118.40 (2r) (cm) of the statutes is repealed.

***-1189/1.2* SECTION 2496.** 118.40 (2r) (d) 1. of the statutes is amended to read:

118.40 **(2r)** (d) 1. Ensure that all instructional staff of charter schools under this subsection ~~hold a license or permit to teach issued by the department~~ have a bachelor's degree from an accredited institution of higher education.

***-1481/P1.1* SECTION 2497.** 118.40 (2r) (e) 1. a. of the statutes is renumbered 118.40 (2r) (e) 1m. and amended to read:

118.40 **(2r)** (e) 1m. In the ~~2009-10~~ 2011-12 and ~~2010-11~~ 2012-13 school years, from the appropriation under s. 20.255 (2) (fm), the department shall pay to the operator of the charter school an amount equal to the sum of the amount paid per

pupil under this ~~subdivision~~ paragraph in the previous school year and the increase in the per pupil amount paid to private schools under s. 119.23 (4) (b) 2. or (bg) in the current school year as compared to the previous school year, multiplied by the number of pupils attending the charter school.

****NOTE: This is reconciled s. 118.40 (2r) (e) 1. a. This SECTION has been affected by drafts with the following LRB numbers: -0851/3 and -1481/P1.

***-1481/P1.2* SECTION 2498.** 118.40 (2r) (e) 1. b. of the statutes is renumbered 118.40 (2r) (e) 2m. and amended to read:

118.40 **(2r)** (e) 2m. In the ~~2011-12~~ 2013-14 school year and in each school year thereafter, from the appropriation under s. 20.255 (2) (fm), the department shall pay to the operator of the charter school an amount equal to the sum of the amount paid per pupil under this ~~subdivision~~ paragraph in the previous school year and the per pupil revenue limit adjustment under s. 121.91 (2m) in the current school year, multiplied by the number of pupils attending the charter school.

****NOTE: This is reconciled s. 118.40 (2r) (e) 1. b. This SECTION has been affected by drafts with the following LRB numbers: -0851/3 and -1481/P1.

***-0851/3.14* SECTION 2499.** 118.40 (2r) (e) 1. c. of the statutes is renumbered 118.40 (2r) (e) 3m. and amended to read:

118.40 **(2r)** (e) 3m. The amount paid per pupil under this ~~subdivision~~ paragraph may not be less than the amount paid per pupil under this ~~subdivision~~ paragraph in the previous school year. The department shall pay 25% of the total amount in September, 25% in December, 25% in February, and 25% in June. The department shall send the check to the operator of the charter school.

****NOTE: This is reconciled s. 118.40 (2r) (e) 1. c. This SECTION has been affected by drafts with the following LRB numbers: -0851/3 and -1481/P1.

***-0851/3.15* SECTION 2500.** 118.40 (2r) (e) 2. of the statutes is repealed.

***-0851/3.16* SECTION 2501.** 118.40 (2r) (f) of the statutes is repealed.