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1           **"SECTION 2311f.** 100.27 (4) of the statutes is created to read:

2           100.27 (4) MERCURIC OXIDE BUTTON CELL BATTERIES. No person may sell or offer  
3 for sale a mercuric oxide button cell battery.

4           **SECTION 2311g.** 100.27 (5) (title) of the statutes is amended to read:

5           100.27 (5) (title) ~~MERCURIC~~ OTHER MERCURIC OXIDE BATTERIES."

6           **\*b0975/1.1\*1040.** Page 932, line 6: after that line insert:

7           **"SECTION 2330c.** 101.09 (1) (cm) of the statutes is created to read:

8           101.09 (1) (cm) "Secondary containment" means a barrier, approved by the  
9 department, that is installed around a storage tank system and that is designed to  
10 prevent a leak from a primary tank or piping from contacting the surrounding earth  
11 or waters of the state.

12           **SECTION 2330g.** 101.09 (3m) of the statutes is created to read:

13           101.09 (3m) SECONDARY CONTAINMENT REQUIREMENTS. (a) In this subsection,  
14 "hazardous substance" means a combustible liquid, a flammable liquid, or a federally  
15 regulated hazardous substance.

16           (b) The department may not impose any requirement that specifies that pipe  
17 connections at the top of a storage tank and beneath all freestanding pumps and  
18 dispensers that routinely contain a hazardous substance be placed within secondary  
19 containment sumps, if the pipe connections were installed or in place on or before  
20 February 1, 2009. This subsection does not apply after December 31, 2020."

21           **\*b0739/2.198\*1041.** Page 932, line 10: delete lines 10 to 13.

22           **\*b0739/2.199\*1042.** Page 932, line 15: delete lines 15 to 25.

23           **\*b0739/2.200\*1043.** Page 933, line 1: delete lines 1 to 19.

24           **\*b0991/1.1\*1044.** Page 945, line 17: after that line insert:

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1           “**SECTION 2378m.** 101.19 (1) (k) of the statutes is amended to read:

2           101.19 (1) (k) Administering subch. VII, except that the department may not  
3 charge a fee for an emergency elevator mechanic’s license under s. 101.985 (2) (c) ~~or~~  
4 ~~a conveyance operation permit under s. 101.983 (2) for a platform lift, stairway chair~~  
5 ~~lift, or any other lift in a private residence.”.~~

6           **\*b0991/1.2\*1045.** Page 949, line 10: after that line insert:

7           “**SECTION 2389g.** 101.981 (1) (c) of the statutes is amended to read:

8           101.981 (1) (c) “Conveyance” means an elevator, an escalator, a dumbwaiter,  
9 a belt manlift, a moving walkway, a platform lift, ~~a personnel hoist, a material hoist~~  
10 and a stairway chair lift, and any other similar device, such as an automated people  
11 mover, used to elevate or move people or things, as provided in the rules of the  
12 department. “Conveyance” does not include a personnel hoist; a material hoist; a  
13 grain elevator; a ski lift or towing device, or; an amusement or thrill ride; or a vertical  
14 platform lift, inclined platform lift, or a stairway chair lift that serves an individual  
15 residential dwelling unit.

16           **SECTION 2389m.** 101.983 (2) (c) of the statutes is amended to read:

17           101.983 (2) (c) *Inspections.* The department may not issue or renew a permit  
18 under this subsection unless the department has received an inspection report for  
19 the conveyance issued by an elevator inspector licensed under s. 101.985 (3)  
20 indicating that the conveyance complies with this subchapter and any applicable  
21 rules promulgated under this subchapter. ~~Upon request of the owner of a private~~  
22 ~~residence containing a newly installed platform lift, stairway chair lift, or residential~~  
23 ~~lift or of the new owner of a private residence containing a previously installed~~  
24 ~~platform lift, stairway chair lift, or residential lift, the department shall inspect the~~

1 ~~lift or equipment for compliance with this subchapter and any applicable rules~~  
2 ~~promulgated under this subchapter.~~ This inspection by the department does not  
3 exempt the owner from the requirement to ensure that the department receives an  
4 inspection report from a licensed elevator inspector. Upon performing this  
5 inspection, the department shall give the owner notice of relevant conveyance safety  
6 requirements and shall instruct the owner as to the procedure for obtaining periodic  
7 inspections and renewing the permit under which the lift or equipment is operated.

8 **SECTION 2389r.** 101.983 (2) (d) of the statutes is amended to read:

9 101.983 (2) (d) *Term and posting requirements.* A permit issued under this  
10 subsection has a term of one year, ~~except that a permit applicable to a platform lift,~~  
11 ~~stairway chair lift, or residential lift in a private residence is valid until ownership~~  
12 ~~of the private residence is transferred, at which time the new owner shall apply for~~  
13 ~~renewal of the permit under par. (b).~~ The owner of the building or residence in which  
14 a conveyance is located shall display the permit under par. (a) applicable to the  
15 conveyance on or in the conveyance or, if applicable, in the machinery room.”.

16 **\*b1053/2.70\*1046.** Page 949, line 11: delete lines 11 to 22.

17 **\*b1034/2.3\*1047.** Page 949, line 22: after that line insert:

18 **“SECTION 2390c.** 103.49 (1) (br) of the statutes is created to read:

19 103.49 (1) (br) “Multiple-trade project of public works” means a project of  
20 public works in which no single trade accounts for 85 percent or more of the total  
21 labor cost of the project.

22 **SECTION 2390d.** 103.49 (1) (em) of the statutes is created to read:

1           103.49 (1) (em) "Single-trade project of public works" means a project of public  
2 works in which a single trade accounts for 85 percent or more of the total labor cost  
3 of the project.

4           **SECTION 2390e.** 103.49 (1m) (intro.) and (a) of the statutes are consolidated,  
5 renumbered 103.49 (1m) and amended to read:

6           103.49 (1m) APPLICABILITY. Subject to sub. (3g), this section applies to any  
7 project of public works erected, constructed, repaired, remodeled, or demolished for  
8 the state or a state agency, ~~other than a highway, street, or bridge construction or~~  
9 ~~maintenance project, including all of the following: (a) A~~ a project erected,  
10 constructed, repaired, remodeled, or demolished by one state agency for another  
11 state agency under any contract or under any statute specifically authorizing  
12 cooperation between state agencies.

13           **SECTION 2390f.** 103.49 (1m) (b) of the statutes is amended to read:

14           103.49 (1m) (b) A project in which the completed facility is leased, purchased,  
15 lease purchased, or otherwise acquired by, or dedicated to, the state in lieu of the  
16 state or a state agency contracting for the erection, construction, repair, remodeling,  
17 or demolition of the facility.

18           **SECTION 2390h.** 103.49 (2m) (b) (intro.) of the statutes is amended to read:

19           103.49 (2m) (b) (intro.) ~~Notwithstanding par. (a) 1., a~~ A laborer, worker,  
20 mechanic, or truck driver who is regularly employed to process, manufacture, pick  
21 up, or deliver materials or products from a commercial establishment that has a fixed  
22 place of business from which the establishment regularly supplies processed or  
23 manufactured materials or products or from a facility that is not dedicated  
24 exclusively, or nearly so, to a project of public works that is subject to this section is  
25 not entitled to receive the prevailing wage rate determined under sub. (3) or to

1 receive at least 1.5 times his or her hourly basic rate of pay for all hours worked in  
2 excess of the prevailing hours of labor unless any of the following applies:

3 **SECTION 2390i.** 103.49 (2m) (b) 1. of the statutes is amended to read:

4 103.49 (2m) (b) 1. The laborer, worker, mechanic, or truck driver is employed  
5 to go to the source of mineral aggregate such as sand, gravel, or stone ~~that is to be~~  
6 ~~immediately incorporated into the work, and not stockpiled or further transported~~  
7 ~~by truck, pick up that mineral aggregate, and deliver that mineral aggregate to the~~  
8 site of a project of public works that is subject to this section by depositing the  
9 material ~~substantially in place, directly in final place, from the transporting vehicle~~  
10 or through spreaders from the transporting vehicle.

11 **SECTION 2390L.** 103.49 (3) (ar) of the statutes is amended to read:

12 103.49 (3) (ar) In determining prevailing wage rates under par. (a) or (am), the  
13 department may not use data from projects that are subject to this section, s. 66.0903,  
14 66.0904, 103.50, or 229.8275, or 40 USC 3142 unless the department determines that  
15 there is insufficient wage data in the area to determine those prevailing wage rates,  
16 in which case the department may use data from projects that are subject to this  
17 section, s. 66.0903, ~~66.0904~~, 103.50, or 229.8275, or 40 USC 3142. In determining  
18 prevailing wage rates under par. (a) or (am), the department may not use data from  
19 any construction work performed by a state agency or a local governmental unit, as  
20 defined in s. 66.0903 (1) (d).

21 **SECTION 2390m.** 103.49 (3g) (a) of the statutes is amended to read:

22 103.49 (3g) (a) A single-trade project of public works for which the estimated  
23 project cost of completion is less than \$25,000 \$48,000 or a multiple-trade project of  
24 public works for which the estimated project cost of completion is less than \$100,000.

25 **SECTION 2390n.** 103.49 (3g) (b) of the statutes is amended to read:

1           103.49 (3g) (b) ~~A~~ Work performed on a project of public works in which the  
2 labor for the project is provided by unpaid volunteers for which the state or the state  
3 agency contracting for the project is not required to compensate any contractor,  
4 subcontractor, contractor's or subcontractor's agent, or individual for performing the  
5 work.

6           **SECTION 2390p.** 103.49 (3g) (f) of the statutes is created to read:

7           103.49 (3g) (f) A public highway, street, or bridge project.

8           **SECTION 2390q.** 103.49 (3g) (g) of the statutes is created to read:

9           103.49 (3g) (g) A project of public works involving the erection, construction,  
10 repair, remodeling, or demolition of a residential property containing 2 dwelling  
11 units or less.

12          **SECTION 2390r.** 103.49 (3g) (h) of the statutes is created to read:

13          103.49 (3g) (h) A road, street, bridge, sanitary sewer, or water main project that  
14 is a part of a development in which not less than 90 percent of the lots contain or will  
15 contain 2 dwelling units or less, as determined by the local governmental unit at the  
16 time of approval of the development, and that, on completion, is acquired by, or  
17 dedicated to, the state for ownership or maintenance by the state.

18          **SECTION 2390s.** 103.49 (5) (am) of the statutes is repealed.

19          **SECTION 2390t.** 103.49 (5) (c) of the statutes is amended to read:

20          103.49 (5) (c) If requested by any person, the department shall inspect the  
21 payroll records of any contractor, subcontractor, or agent performing work on a  
22 project of public works that is subject to this section as provided in this paragraph  
23 to ensure compliance with this section. ~~In the case of a request made by a person~~  
24 performing the work specified in sub. (2m), if the department finds that the  
25 contractor, subcontractor, or agent subject to the inspection is in compliance and that

1 ~~the request is frivolous, the department shall charge the person making the request~~  
2 ~~the actual cost of the inspection. In the case of a request made by a person not~~  
3 ~~performing the work specified in sub. (2m), if the department finds that the~~  
4 ~~contractor, subcontractor, or agent subject to the inspection is in compliance and that~~  
5 ~~the request is frivolous, the department shall charge the person making the request~~  
6 ~~\$250 or the actual cost of the inspection, whichever is greater. In order to find that~~  
7 ~~a request is frivolous, the department must find that the person making the request~~  
8 ~~made the request in bad faith, solely for the purpose of harassing or maliciously~~  
9 ~~injuring the contractor, subcontractor, or agent subject to the inspection, or that the~~  
10 ~~person making the request knew, or should have known, that there was no~~  
11 ~~reasonable basis for believing that a violation of this section had been committed.~~  
12 On receipt of such a request, the department shall request the contractor,  
13 subcontractor, or agent to submit to the department a certified record of the  
14 information specified in par. (a), other than personally identifiable information  
15 relating to an employee of the contractor, subcontractor, or agent, for no longer than  
16 a 4-week period. The department may request a contractor, subcontractor, or agent  
17 to submit those records no more than once per calendar quarter for each project of  
18 public works on which the contractor, subcontractor, or agent is performing work.  
19 The department may not charge a requester a fee for obtaining that information. The  
20 department shall make available for public inspection certified records submitted to  
21 the department under this paragraph.

22 **SECTION 2390v.** 103.50 (2g) of the statutes is created to read:

23 103.50 (2g) NONAPPLICABILITY. This section does not apply to a single-trade  
24 project of public works, as defined in s. 103.49 (1) (em), for which the estimated  
25 project cost of completion is less than \$48,000 or a multiple-trade project of public

1 works, as defined in s. 103.49 (1) (br), for which the estimated project cost of  
2 completion is less than \$100,000.

3 **SECTION 2390w.** 103.50 (2m) (b) (intro.) of the statutes is amended to read:

4 103.50 (2m) (b) (intro.) ~~Notwithstanding par. (a) 1., a~~ A laborer, worker,  
5 mechanic, or truck driver who is regularly employed to process, manufacture, pick  
6 up, or deliver materials or products from a commercial establishment that has a fixed  
7 place of business from which the establishment regularly supplies processed or  
8 manufactured materials or products or from a facility that is not dedicated  
9 exclusively, or nearly so, to a project that is subject to this section is not entitled to  
10 receive the prevailing wage rate determined under sub. (3) or to receive at least 1.5  
11 times his or her hourly basic rate of pay for all hours worked in excess of the  
12 prevailing hours of labor unless any of the following applies:

13 **SECTION 2390x.** 103.50 (2m) (b) 1. of the statutes is amended to read:

14 103.50 (2m) (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 that is subject to this section by depositing the material ~~substantially~~  
19 ~~in place, directly~~ in final place, from transporting the vehicle or through spreaders  
20 from the transporting vehicle.

21 **SECTION 2390z.** 103.50 (4) of the statutes is amended to read:

22 103.50 (4) CERTIFICATION OF PREVAILING WAGE RATES. The department of  
23 workforce development shall, by May 1 of each year, certify to the department of  
24 transportation the prevailing wage rates in each area for all trades or occupations  
25 commonly employed in the highway construction industry. The certification shall,

1 in addition to the current prevailing wage rates, include future prevailing wage rates  
2 when such prevailing wage rates can be determined for any such trade or occupation  
3 in any area and shall specify the effective date of those future prevailing wage rates.  
4 The certification shall also include wage rates for work performed on Sundays or the  
5 holidays specified in s. 103.49 (1) (c) and shift differentials based on the time of day  
6 or night when work is performed. If a construction project extends into more than  
7 one area there shall be but one standard of prevailing wage rates for the entire  
8 project.

9 **SECTION 2390zb.** 103.50 (4m) of the statutes is amended to read:

10 103.50 (4m) WAGE RATE DATA. In determining prevailing wage rates for projects  
11 that are subject to this section, the department shall use data from projects that are  
12 subject to this section, s. 66.0903, ~~66.0904~~, or 103.49, or 40 USC 3142. In determining  
13 prevailing wage rates for those projects, the department may not use data from any  
14 construction work that is performed by a state agency or a local governmental unit,  
15 as defined in s. 66.0903 (1) (d).

16 **SECTION 2390zc.** 103.503 (title) of the statutes is amended to read:

17 **103.503 (title) Substance abuse prevention on public works and**  
18 **publicly funded projects.**

19 **SECTION 2390zd.** 103.503 (1) (a) of the statutes is amended to read:

20 103.503 (1) (a) "Accident" means an incident caused, contributed to, or  
21 otherwise involving an employee that resulted or could have resulted in death,  
22 personal injury, or property damage and that occurred while the employee was  
23 performing the work described in s. 66.0903 (4), ~~66.0904 (3)~~, or 103.49 (2m) on a  
24 project.

25 **SECTION 2390ze.** 103.503 (1) (c) of the statutes is amended to read:

1           103.503 (1) (c) “Contracting agency” means a local governmental unit, as  
2 defined in s. 66.0903 (1) (d), or a state agency, as defined in s. 103.49 (1) (f), ~~or an~~  
3 ~~owner or developer under s. 66.0904~~ that has contracted for the performance of work  
4 on a project.

5           **SECTION 2390zf.** 103.503 (1) (e) of the statutes is amended to read:

6           103.503 (1) (e) “Employee” means a laborer, worker, mechanic, or truck driver  
7 who performs the work described in s. 66.0903 (4), ~~66.0904 (3)~~, or 103.49 (2m) on a  
8 project.

9           **SECTION 2390zg.** 103.503 (1) (g) of the statutes is amended to read:

10           103.503 (1) (g) “Project” ~~mean~~ means a project of public works that is subject  
11 to s. 66.0903 or 103.49 ~~or a publicly funded private construction project that is subject~~  
12 ~~to s. 66.0904.~~

13           **SECTION 2390zh.** 103.503 (2) of the statutes is amended to read:

14           103.503 (2) SUBSTANCE ABUSE PROHIBITED. No employee may use, possess,  
15 attempt to possess, distribute, deliver, or be under the influence of a drug, or use or  
16 be under the influence of alcohol, while performing the work described in s. 66.0903  
17 (4), ~~66.0904 (3)~~, or 103.49 (2m) on a project. An employee is considered to be under  
18 the influence of alcohol for purposes of this subsection if he or she has an alcohol  
19 concentration that is equal to or greater than the amount specified in s. 885.235 (1g)  
20 (d).

21           **SECTION 2390zhi.** 103.503 (3) (a) 2. of the statutes is amended to read:

22           103.503 (3) (a) 2. A requirement that employees performing the work described  
23 in s. 66.0903 (4), ~~66.0904 (3)~~, or 103.49 (2m) on a project submit to random,  
24 reasonable suspicion, and post-accident drug and alcohol testing and to drug and  
25 alcohol testing before commencing work on a project, except that testing of an

1 employee before commencing work on a project is not required if the employee has  
2 been participating in a random testing program during the 90 days preceding the  
3 date on which the employee commenced work on the project.

4 **SECTION 2390zr.** 104.001 (3) (am) of the statutes is repealed.”.

5 **\*b1038/1.1\*1048.** Page 949, line 22: after that line insert:

6 “**SECTION 2390b.** 103.24 of the statutes is amended to read:

7 **103.24 Hours of work.** The department shall determine and fix reasonable  
8 hours of employment for minors under 16 years of age in street trades. Except as  
9 provided in this section, the department may not fix hours of employment for minors  
10 under 16 years of age in street trades that exceed the maximum hours per day and  
11 per week specified in s. 103.68 (2) (a) and (b), that exceed the maximum days per  
12 week specified in s. 103.68 (2) (c), or that begin earlier or end later than the hours  
13 specified in s. 103.68 (2) (d) and (e). The department may not limit the hours of  
14 employment for minors 16 years of age or over in street trades or the hours of  
15 employment for minors of any age who are engaged in the delivery of newspapers to  
16 the consumer.

17 **SECTION 2390zk.** 103.65 (2) of the statutes is amended to read:

18 103.65 (2) No minor shall under 16 years of age may be employed or permitted  
19 to work at any employment for such hours of the day or week, or for such days of the  
20 week, or at such periods of the day as shall may be dangerous or prejudicial to the  
21 life, health, safety, or welfare of such the minor.

22 **SECTION 2390zL.** 103.66 (2) of the statutes is amended to read:

23 103.66 (2) The department may investigate and fix reasonable classifications  
24 of employments and hours of employment for minors under 16 years of age and may

1 issue general or special orders fixing for those minors maximum hours of  
2 employment ~~for minors~~ per day and per week, maximum days of employment per  
3 week, hours at which employment shall may begin and end, and the duration of  
4 lunch and other rest periods as are necessary to protect the life, health, safety, and  
5 welfare of those minors. For minors under 16 years of age, the department may not  
6 fix hours of employment that exceed the maximum hours per day and per week  
7 specified in s. 103.68 (2) (a) and (b), that exceed the maximum days per week specified  
8 in s. 103.68 (2) (c), or that begin earlier or end later than the hours specified in s.  
9 103.68 (2) (d) and (e). For minors 16 years of age or over, the department may fix the  
10 duration of lunch and other rest periods, but may not limit hours of employment or  
11 issue general or special orders fixing maximum hours of employment per day or per  
12 week, maximum days of employment per week, or hours at which employment may  
13 begin and end.

14 **SECTION 2390zm.** 103.68 (1) of the statutes is amended to read:

15 103.68 (1) No minor shall may be employed or permitted to work at any gainful  
16 occupation ~~other than domestic service, farm labor, or service as an election inspector~~  
17 ~~under s. 7.30 (2) (am) for more than 8 hours in any one day nor more than 40 hours~~  
18 ~~nor more than 6 days in any one week, nor during such hours as the minor is required~~  
19 ~~under s. 118.15 to attend school.~~

20 **SECTION 2390zn.** 103.68 (2) of the statutes is renumbered 103.68 (2) (intro.)  
21 and amended to read:

22 103.68 (2) (intro.) No minor under 16 ~~shall~~ years of age may be employed or  
23 permitted to work in any gainful occupation, other than ~~domestic service or farm~~  
24 ~~labor more than 24 hours in any one week, nor, except in domestic service, farm labor,~~

1 or in public exhibitions, as defined provided in s. 103.78, or in street trades as defined  
2 in s. 103.21, before 7 a.m. nor after 6 p.m. as follows:

3 **SECTION 2390zp.** 103.68 (2) (a) to (e) of the statutes are created to read:

4 103.68 (2) (a) For more than 3 hours on a school day or 8 hours on a nonschool  
5 day.

6 (b) For more than 18 hours in a school week or 40 hours in a nonschool week.

7 (c) For more than 6 days in a week.

8 (d) Before 7:00 a.m. or after 7:00 p.m. from the day after Labor Day to May 31.

9 (e) Before 7:00 a.m. or after 9:00 p.m. from June 1 to Labor Day.”.

10 **\*b0987/P1.50\*1049.** Page 950, line 13: delete “490.04” and substitute  
11 “16.287”.

12 **\*b0908/1.1\*1050.** Page 953, line 14: after that line insert:

13 “**SECTION 2403e.** 108.02 (26m) of the statutes is created to read:

14 108.02 (26m) WAITING PERIOD. “Waiting period” means any period of time under  
15 s. 108.04 (3) for which no benefits are payable to a claimant as a condition precedent  
16 to receipt of benefits.

17 **SECTION 2403m.** 108.04 (1) (c) of the statutes is created to read:

18 108.04 (1) (c) If a claimant fails or refuses to take a test for the presence of  
19 illegal drugs that is required by the claimant’s employer or a prospective employer  
20 as a condition of employment, the employer shall report the failure or refusal to the  
21 department. The department shall retain the information received from employers  
22 under this paragraph for the purpose of determining eligibility for benefits. A  
23 claimant is ineligible to receive benefits for a period of 52 weeks after the week in

1 which the department receives a report of the claimant's failure or refusal under this  
2 paragraph. This paragraph applies to the extent permitted under federal law.

3 **SECTION 2403s.** 108.04 (3) of the statutes is created to read:

4 108.04 (3) WAITING PERIOD. The first week of a claimant's benefit year for which  
5 the claimant has timely applied and is otherwise eligible for regular benefits under  
6 this chapter is the claimant's waiting period for that benefit year.

7 **SECTION 2403w.** 108.06 (1) of the statutes is amended to read:

8 108.06 (1) Except as provided in subs. (6) and (7) and ss. 108.141 and 108.142,  
9 no claimant may receive total benefits based on employment in a base period greater  
10 than 26 times the claimant's weekly benefit rate under s. 108.05 (1) or 40% of the  
11 claimant's base period wages, whichever is lower. Except as provided in subs. (6) and  
12 (7) and ss. 108.141 and 108.142, if a claimant's base period wages are reduced or  
13 canceled under s. 108.04 (5) or (18), or suspended under s. 108.04 (1) (c) or (f), (10)  
14 (a), or (17), the claimant may not receive total benefits based on employment in a base  
15 period greater than 26 times the claimant's weekly benefit rate under s. 108.05 (1)  
16 or 40% of the base period wages not reduced, canceled or suspended which were paid  
17 or payable to the claimant, whichever is lower.”.

18 **\*b0889/2.1\*1051.** Page 953, line 21: after that line insert:

19 “**SECTION 2404g.** 110.08 (2) of the statutes is amended to read:

20 110.08 (2) Except as provided under sub. (5) (b) and s. 343.16 (1) (b) to (c), all  
21 examinations for operator's licenses and permits shall be given by state examiners.

22 **SECTION 2404r.** 110.08 (5) of the statutes is created to read:

1           110.08 (5) (a) The department shall provide in each county, directly or by  
2 contract as described in par. (b), at least 20 hours per week of services relating to  
3 operator's licenses and identification cards.

4           (b) The department shall provide the services required under par. (a) by the  
5 most cost-effective means possible, which may include contracting with counties or  
6 other local governments to provide these services. Notwithstanding any provision  
7 of ss. 343.14 and 343.16, a contract between the department and a county or other  
8 local government under this paragraph may authorize an employee of the county or  
9 local government to conduct any examination for an operator's license except a  
10 driving skills test. The department may require any employee of a county or local  
11 government who provides services under a contract entered into under this  
12 paragraph to satisfy any requirement under s. 110.09 that would be required of an  
13 employee of the department.”.

14           **\*b1034/2.4\*1052.** Page 953, line 21: after that line insert:

15           “SECTION 2404c. 109.09 (1) of the statutes is amended to read:

16           109.09 (1) The department shall investigate and attempt equitably to adjust  
17 controversies between employers and employees as to alleged wage claims. The  
18 department may receive and investigate any wage claim which is filed with the  
19 department, or received by the department under s. 109.10 (4), no later than 2 years  
20 after the date the wages are due. The department may, after receiving a wage claim,  
21 investigate any wages due from the employer against whom the claim is filed to any  
22 employee during the period commencing 2 years before the date the claim is filed.  
23 The department shall enforce this chapter and ss. 66.0903, ~~66.0904~~, 103.02, 103.49,  
24 103.82, 104.12, and 229.8275. In pursuance of this duty, the department may sue the

1 employer on behalf of the employee to collect any wage claim or wage deficiency and  
 2 ss. 109.03 (6) and 109.11 (2) and (3) shall apply to such actions. Except for actions  
 3 under s. 109.10, the department may refer such an action to the district attorney of  
 4 the county in which the violation occurs for prosecution and collection and the  
 5 district attorney shall commence an action in the circuit court having appropriate  
 6 jurisdiction. Any number of wage claims or wage deficiencies against the same  
 7 employer may be joined in a single proceeding, but the court may order separate  
 8 trials or hearings. In actions that are referred to a district attorney under this  
 9 subsection, any taxable costs recovered by the district attorney shall be paid into the  
 10 general fund of the county in which the violation occurs and used by that county to  
 11 meet its financial responsibility under s. 978.13 (2) (b) for the operation of the office  
 12 of the district attorney who prosecuted the action.

13 **SECTION 2404q.** 111.322 (2m) (c) of the statutes is amended to read:

14 111.322 (2m) (c) The individual files a complaint or attempts to enforce a right  
 15 under s. 66.0903, ~~66.0904~~, 103.49, or 229.8275 or testifies or assists in any action or  
 16 proceeding under s. 66.0903, ~~66.0904~~, 103.49, or 229.8275.”

17 **\*b1053/2.71\*1053.** Page 954, line 23: delete lines 23 to 24.

\*\*\*\*NOTE: MiLES employment issue

18 **\*b1053/2.72\*1054.** Page 955, line 1: delete lines 1 to 25.

\*\*\*\*NOTE: MiLES employment issue

19 **\*b0785/4.20\*1055.** Page 955, line ~~24~~<sup>25</sup>: after that line insert:

20 **“SECTION 2406m.** 111.70 (1) (j) of the statutes is amended to read:

21 111.70 (1) (j) “Municipal employer” means any city, county, village, town,  
 22 metropolitan sewerage district, school district, long-term care district, ~~transit~~  
 23 ~~authority under s. 59.58 (7) or 66.1039~~, or any other political subdivision of the state,

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

6 **\*b0998/P1.1\*1056.** Page 955, line 25: after that line insert:

7 “SECTION 2407dg. 111.70 (4) (c) 2. a. of the statutes is renumbered 111.70 (4)  
8 (c) 2.

9 SECTION 2407dgg. 111.70 (4) (c) 2. b. of the statutes is repealed.”.

10 **\*b0723/P1.1\*1057.** Page 956, line 1: delete the material beginning with that  
11 line and ending page 957, line 4.

12 **\*b0960/P5.6\*1058.** Page 957, line 4: after that line insert:

13 “SECTION 2408cv. 111.70 (4) (jm) 4w. of the statutes is created to read:

14 111.70 (4) (jm) 4w. In determining the proper compensation to be received by  
15 members of the police department under subd. 4., the arbitrator shall give greater  
16 weight to the economic conditions in the 1st class city than the arbitrator gives to the  
17 factors under subd. 5. The arbitrator shall give an accounting of the consideration  
18 of this factor in the arbitrator's decision.

19 SECTION 2408cx. 111.70 (4) (jm) 5. (intro.) of the statutes is amended to read:

20 111.70 (4) (jm) 5. (intro.) In determining the proper compensation to be received  
21 by members of the police department under subd. 4., in addition to the factor under  
22 subd. 4w., the arbitrator shall utilize.”.

23 **\*b0740/1.1\*1059.** Page 957, line 5: delete lines 5 to 7.

24 **\*b0960/P5.7\*1060.** Page 957, line 7: after that line insert:

1           **“SECTION 2409cy.** 111.70 (4) (mc) 5. and 6. of the statutes are created to read:

2           111.70 **(4)** (mc) 5. If the collective bargaining unit contains a public safety  
3 employee who is initially employed on or after the effective date of this subdivision  
4 .... [LRB inserts date], the requirement under ss. 40.05 (1) (b), 59.875, and 62.623  
5 that the municipal employer may not pay, on behalf of that public safety employee  
6 any employee required contributions or the employee share of required  
7 contributions, and the impact of this requirement on the wages, hours, and  
8 conditions of employment of that public safety employee. If a public safety employee  
9 is initially employed by a municipal employer before the effective date of this  
10 subdivision .... [LRB inserts date], this subdivision does not apply to that public  
11 safety employee if he or she is employed as a public safety employee by a successor  
12 municipal employer in the event of a combined department that is created on or after  
13 that date.

14           6. The design and selection of health care coverage plans by the municipal  
15 employer for public safety employees, and the impact of the design and selection of  
16 the health care coverage plans on the wages, hours, and conditions of employment  
17 of the public safety employee.

18           **SECTION 2409it.** 111.77 (6) of the statutes is renumbered 111.77 (6) (bm), and  
19 111.77 (6) (bm) (intro.), as renumbered, is amended to read:

20           111.77 **(6)** (bm) (intro.) In reaching a decision, in addition to the factors under  
21 par. (am), the arbitrator shall give weight to the following factors:

22           **SECTION 2409iv.** 111.77 (6) (am) of the statutes is created to read:

23           111.77 **(6)** (am) In reaching a decision, the arbitrator shall give greater weight  
24 to the economic conditions in the jurisdiction of the municipal employer than the

1 arbitrator gives to the factors under par. (bm). The arbitrator shall give an  
2 accounting of the consideration of this factor in the arbitrator's decision.”

3 **\*b0998/P1.2\*1061.** Page 957, line 7: after that line insert: ✓ 9

4 “SECTION 2409cg. 111.70 (4) (mc) (intro.) and 4. of the statutes are  
5 consolidated, renumbered 111.70 (4) (mc) and amended to read:

6 111.70 (4) (mc) *Prohibited ~~subjects~~ subject of bargaining.* The municipal  
7 employer is prohibited from bargaining collectively with respect to: ~~4.~~ The  
8 judge's authority over the supervisory tasks provided in s. 755.10, if the municipal  
9 employee is a clerk who is not an employee of a city of the first class.

10 “ SECTION 2409cp. 111.70 (4) (mc) 1., 2. and 3. of the statutes are repealed.”

11 **\*b0989/2.2\*1062.** Page 957, line 8: delete lines 8 to 11.

12 **\*b0739/2.201\*1063.** Page 957, line 12: delete lines 12 to 25.

13 **\*b0739/2.202\*1064.** Page 958, line 1: delete lines 1 to 23.

14 **\*b0739/2.203\*1065.** Page 959, line 14: delete “(1g).”

15 **\*b0739/2.204\*1066.** Page 959, line 19: delete the material beginning with  
16 “With” and ending with “subchapter.” on line 21.

17 **\*b0989/2.3\*1067.** Page 959, line 25: delete “(em) (b) 1. e.” and substitute  
18 “(cm)”.

19 **\*b0739/2.205\*1068.** Page 960, line 5: delete lines 5 to 23.

20 **\*b0989/2.4\*1069.** Page 960, line 24: delete the material beginning with that  
21 line and ending with page 961, line 3.

22 **\*b0739/2.206\*1070.** Page 961, line 4: delete lines 4 to 25.

23 **\*b0739/2.207\*1071.** Page 962, line 1: delete lines 1 and 2.

Cmtt

1           **\*b0960/P5.8\*1072.** Page 962, line 2: after that line insert:

2           “**SECTION 2424hr.** 111.91 (1) (cm) of the statutes, as affected by 2011 Wisconsin  
3 Act 10, is amended to read:

4           111.91 (1) (cm) Except as provided in sub. (2) ~~(g) and (h)~~ and ss. 40.02 (22) (e)  
5 and 40.23 (1) (f) 4., all laws governing the Wisconsin retirement system under ch. 40  
6 and all actions of the employer that are authorized under any such law which apply  
7 to nonrepresented individuals employed by the state shall apply to similarly situated  
8 public safety employees, unless otherwise specifically provided in a collective  
9 bargaining agreement that applies to the public safety employees.

10           **SECTION 2424jp.** 111.91 (2) (fm) of the statutes is created to read:

11           111.91 (2) (fm) If the collective bargaining unit contains a public safety  
12 employee initially employed on or after the effective date of this paragraph .... [LRB  
13 inserts date], the requirement under s. 40.05 (1) (b) that the employer may not pay,  
14 on behalf of that public safety employee, any employee required contributions or the  
15 employee share of required contributions and the impact of this requirement on the  
16 wages, hours, and conditions of employment of that public safety employee.”.

17           **\*b0720/1.3\*1073.** Page 962, line 3: delete lines 3 to 5.

18           **\*b0739/2.208\*1074.** Page 962, line 6: delete lines 6 to 18.

19           **\*b0989/2.5\*1075.** Page 962, line 19: delete lines 19 to 25.

20           **\*b0739/2.209\*1076.** Page 963, line 1: delete lines 1 to 24.

21           **\*b0739/2.210\*1077.** Page 964, line 1: delete lines 1 and 2.

22           **\*b0942/3.3\*1078.** Page 964, line 15: after that line insert:

23           “**SECTION 2432w.** 114.33 (5) of the statutes is amended to read:

1           114.33 (5) In the case of projects to be carried out by contract, force account,  
2 or by a county highway committee ~~in a manner similar to the applicable provisions~~  
3 ~~of s. 84.06 (3)~~, the sponsor's share of the cost of a project shall be deposited in the state  
4 treasury promptly on the request of the secretary, to be held in trust for the purposes  
5 of the project. The secretary need not request the entire share at any one time. The  
6 secretary may suspend or discontinue proceedings or construction relative to any  
7 project at any time if any sponsor fails to pay the amount properly required of it as  
8 its contribution to the project. In the case of projects or parts of projects authorized  
9 by the secretary to be performed by force account methods, the secretary may permit  
10 the sponsor to retain the sponsor's share of the cost of authorized project work  
11 provided the sponsor is to do the work. In such case the sponsor will be periodically  
12 reimbursed for the state or federal share, or both, on the basis of audited costs  
13 incurred by the sponsor.”.

14           **\*b1008/P2.19\*1079.** Page 964, line 20: delete the material beginning with  
15 “~~and, if~~” and ending with “~~560.9810~~” on line 21 and substitute “and, if real property,  
16 the real property is not the subject of a petition under s. ~~568.9810~~ 16.310”.

17           **\*b0734/P1.1\*1080.** Page 965, line 7: delete lines 7 to 10.

18           **\*b0731/P1.1\*1081.** Page 965, line 11: delete lines 11 and 12.

19           **\*b0773/1.1\*1082.** Page 965, line 18: delete the material beginning with  
20 “Annually” and ending with “year.” on line 22.

21           **\*b0773/1.2\*1083.** Page 965, line 23: delete lines 23 and 24 and substitute:

22           “(b) Ensure that within 5 years of the establishment of the system under par.  
23 (a), every school district is using the system. The state superintendent may  
24 promulgate rules authorizing the department to charge a fee to any person that”.

1           **\*b0901/1.7\*1084.** Page 966, line 8: delete “~~or 118.153~~” and substitute “or  
2 118.153”.

3           **\*b0739/2.211\*1085.** Page 966, line 21: delete lines 21 to 25.

4           **\*b0901/1.8\*1086.** Page 967, line 1: delete lines 1 to 10.

5           **\*b1053/2.73\*1087.** Page 968, line 14: delete lines 14 to 25.

6           **\*b0902/1.2\*1088.** Page 969, line 2: delete that line.

7           **\*b0739/2.212\*1089.** Page 969, line 5: delete lines 5 to 12.

8           **\*b0903/1.2\*1090.** Page 969, line 13: delete that line.

9           **\*b0739/2.213\*1091.** Page 970, line 12: delete lines 12 to 24.

10          **\*b0739/2.214\*1092.** Page 971, line 1: delete lines 1 to 6.

11          **\*b0901/1.9\*1093.** Page 971, line 7: delete lines 7 to 16.

12          **\*b0732/P1.1\*1094.** Page 971, line 17: delete lines 17 to 24.

13          **\*b0735/P1.1\*1095.** Page 972, line 11: delete lines 11 to 18.

14          **\*b1045/P3.3\*1096.** Page 972, line 18: after that line insert:

15          “SECTION 2476m. 118.125 (4) of the statutes is amended to read:

16          118.125 (4) TRANSFER OF RECORDS. Within 5 working days, a school district and

17          a private school participating in the program under s. 118.60 <sup>or</sup> in the program under <sup>s. 118.62</sup> ~~s. 118.60~~ ✓

18          <sup>in the program under</sup> s. 119.23 shall transfer to another school, including a private or tribal school, or

19          school district all pupil records relating to a specific pupil if the transferring school

20          district or private school has received written notice from the pupil if he or she is an

21          adult or his or her parent or guardian if the pupil is a minor that the pupil intends

22          to enroll in the other school or school district or written notice from the other school

23          or school district that the pupil has enrolled or from a court that the pupil has been

1 placed in a juvenile correctional facility, as defined in s. 938.02 (10p), or a secured  
2 residential care center for children and youth, as defined in s. 938.02 (15g). In this  
3 subsection, "school" and "school district" include any juvenile correctional facility,  
4 secured residential care center for children and youth, adult correctional institution,  
5 mental health institute, or center for the developmentally disabled that provides an  
6 educational program for its residents instead of or in addition to that which is  
7 provided by public, private, and tribal schools."

8 **\*b1046/P3.3\*1097.** Page 972, line 18: after that line insert:

9 "SECTION 2476m. 118.125 (4) of the statutes is amended to read:

10 118.125 (4) TRANSFER OF RECORDS. Within 5 working days, a school district and  
11 a private school participating in the program under s. 118.62 or in the program under  
12 s. 119.23 shall transfer to another school, including a private or tribal school, or  
13 school district all pupil records relating to a specific pupil if the transferring school  
14 district or private school has received written notice from the pupil if he or she is an  
15 adult or his or her parent or guardian if the pupil is a minor that the pupil intends  
16 to enroll in the other school or school district or written notice from the other school  
17 or school district that the pupil has enrolled or from a court that the pupil has been  
18 placed in a juvenile correctional facility, as defined in s. 938.02 (10p), or a secured  
19 residential care center for children and youth, as defined in s. 938.02 (15g). In this  
20 subsection, "school" and "school district" include any juvenile correctional facility,  
21 secured residential care center for children and youth, adult correctional institution,  
22 mental health institute, or center for the developmentally disabled that provides an  
23 educational program for its residents instead of or in addition to that which is  
24 provided by public, private, and tribal schools."

1           **\*b0901/1.10\*1098.** Page 972, line 25: delete that line.

2           **\*b0901/1.11\*1099.** Page 973, line 1: delete lines 1 to 13.

3           **\*b0901/1.12\*1100.** Page 973, line 13: after that line insert:

4           “**SECTION 2482m.** 118.153 (3) (c) 2. of the statutes is amended to read:

5           118.153 (3) (c) 2. The school board may contract with the agencies identified  
6           under subd. 1. for ~~not more than 30%~~ of the children at risk enrolled in the school  
7           district if the school board determines that the agencies can adequately serve such  
8           children.”.

9           **\*b0901/1.13\*1101.** Page 973, line 14: delete lines 14 to 25.

10          **\*b0901/1.14\*1102.** Page 974, line 1: delete that line.

11          **\*b0741/1.1\*1103.** Page 974, line 2: delete lines 2 to 6.

12          **\*b0740/1.2\*1104.** Page 974, line 7: delete lines 7 to 12.

13          **\*b0733/P1.1\*1105.** Page 974, line 13: delete lines 13 to 21.

14          **\*b0928/P3.1\*1106.** Page 974, line 21: after that line insert:

15          “**SECTION 2488m.** 118.30<sup>(5m) ✓</sup>(5) of the statutes is created to read:

16          118.30<sup>(5m)</sup>(5) When determining the percentage of pupils participating in the  
17          program under s. 119.23 who performed at designated proficiency levels on the  
18          examinations administered as required under sub. (1s), the department shall  
19          consider only the pupils participating in the program under s. 119.23 to whom the  
20          examinations were administered at each grade level, and shall exclude from  
21          consideration those pupils participating in the program under s. 119.23 who were  
22          excused from taking the examinations under sub. (2) (b) 5.”.

23          **\*b0984/2.1\*1107.** Page 974, line 21: after that line insert:

1           **SECTION 2488m.** 118.30 (5) of the statutes is created to read:

2           118.30 (5) Beginning in the 2014-15 school year, the department shall ensure  
3 that benchmark assessments are administered to pupils annually under this section  
4 prior to the administration of summative assessments under this section.”.

5           **\*b1045/P3.4\*1108.** Page 974, line 21: after that line insert:

6           **SECTION 2488b.** 118.30 (1g) (a) 4. of the statutes is created to read:

7           118.30 (1g) (a) 4. The governing body of each private school participating in the  
8 program under s. 118.60 shall adopt pupil academic standards in mathematics,  
9 science, reading and writing, geography, and history. The governing body of the  
10 private school may adopt the pupil academic standards issued by the governor as  
11 executive order no. 326, dated January 13, 1998.

12           **SECTION 2488e.** 118.30 (1t) of the statutes is created to read:

13           118.30 (1t) Annually, the governing body of each private school participating  
14 in the program under s. 118.60 shall do all of the following:

15           (a) Administer the 4th grade examination adopted or approved by the state  
16 superintendent under sub. (1) to all pupils attending the 4th grade in the private  
17 school under s. 118.60.

18           (b) Administer the 8th grade examination adopted or approved by the state  
19 superintendent under sub. (1) to all pupils attending the 8th grade in the private  
20 school under s. 118.60.

21           (c) Administer the 10th grade examination adopted or approved by the state  
22 superintendent under sub. (1) to all pupils attending the 10th grade in the private  
23 school under s. 118.60.

1 (d) Administer to pupils attending the private school under s. 118.60 all other  
 2 examinations in reading, mathematics, and science that are required to be  
 3 administered to public school pupils under 20 USC 6311 (b) (3).

4 **SECTION 2488h.** 118.30 (2) (b) 1. of the statutes is amended to read:

5 118.30 (2) (b) 1. If a pupil is enrolled in a special education program under  
 6 subch. V of ch. 115, the school board, operator of the charter school under s. 118.40  
 7 (2r), governing body of the private school participating in the program under s.  
 8 118.60, <sup>governing body of the private school participating in the program under s.</sup> or governing body of the private school participating in the program under <sup>s.</sup>  
 9 s. 119.23 shall comply with s. 115.77 (1m) (bg). <sup>118.62</sup>

10 **SECTION 2488L.** 118.30 (2) (b) 2. of the statutes is amended to read:

11 118.30 (2) (b) 2. According to criteria established by the state superintendent  
 12 by rule, the school board, operator of the charter school under s. 118.40 (2r),  
 13 governing body of the private school participating in the program under s. 118.60, <sup>or</sup>  
 14 governing body of the private school participating in the program under s. 119.23  
 15 may determine not to administer an examination under this section to a  
 16 limited-English speaking pupil, as defined under s. 115.955 (7), may permit the  
 17 pupil to be examined in his or her native language, or may modify the format and  
 18 administration of an examination for such pupils.

19 **SECTION 2488p.** 118.30 (2) (b) 6. of the statutes is created to read:

20 118.30 (2) (b) 6. Upon the request of a pupil's parent or guardian, the governing  
 21 body of a private school participating in the program under s. 118.60 shall excuse the  
 22 pupil from taking an examination administered under sub. (1t) (a) to (c).

23 **SECTION 2488r.** 118.33 (1) (f) 2r. of the statutes is created to read:

24 118.33 (1) (f) 2r. The governing body of each private school participating in the  
 25 program under s. 118.60 shall develop a policy specifying criteria for granting a high

governing body of the private school participating in  
the program under s. 118.62, ✓

1 school diploma to pupils attending the private school under s. 118.60. The criteria  
2 shall include the pupil's academic performance and the recommendations of  
3 teachers.

4 **SECTION 2488u.** 118.33 (1) (f) 3. of the statutes is amended to read:

5 118.33 (1) (f) 3. Beginning on September 1, 2005, neither a school board nor an  
6 operator of a charter school under s. 118.40 (2r) may grant a high school diploma to  
7 any pupil unless the pupil has satisfied the criteria specified in the school board's or  
8 charter school's policy under subd. 1. or 2. Beginning on September 1, 2010, the  
9 governing body of a private school participating in the program under s. 119.23 may  
10 not grant a high school diploma to any pupil attending the private school under s.  
11 119.23 unless the pupil has satisfied the criteria specified in the governing body's  
12 policy under subd. 2m. The governing body of a private school participating in the  
13 program under s. 118.60 may not grant a high school diploma to any pupil attending  
14 the private school under s. 118.60 unless the pupil has satisfied the criteria specified ✓  
15 in the governing body's policy under subd. 2r. / Insert from p. 412, line 15

16 **SECTION 2488y.** 118.33 (6) (cr) of the statutes is created to read:

17 118.33 (6) (cr) 1. The governing body of each private school participating in the  
18 program under s. 118.60 shall adopt a written policy specifying criteria for promoting  
19 a pupil who is attending the private school under s. 118.60 from the 4th grade to the  
20 5th grade and from the 8th grade to the 9th grade. The criteria shall include the  
21 pupil's score on the examination administered under s. 118.30 (1t) (a) or (b), unless  
22 the pupil has been excused from taking the examination under s. 118.30 (2) (b); the  
23 pupil's academic performance; the recommendations of teachers, which shall be  
24 based solely on the pupil's academic performance; and any other academic criteria  
25 specified by the governing body of the private school.

1           2. The governing body of a private school participating in the program under  
2 s. 118.60 may not promote a 4th grade pupil who is attending the private school  
3 under s. 118.60 to the 5th grade, and may not promote an 8th grade pupil who is  
4 attending the private school under s. 118.60 to the 9th grade, unless the pupil  
5 satisfies the criteria for promotion specified in the governing body's policy under  
6 subd. 1."

7           **\*b1046/P3.4\* 1109.** Page 974, line 21: after that line insert:

8           "SECTION 2488c. 118.30 (1g) (a) 5. of the statutes is created to read:

9           118.30 (1g) (a) 5. The governing body of each private school participating in the  
10 program under s. 118.62 shall adopt pupil academic standards in mathematics,  
11 science, reading and writing, geography, and history. The governing body of the  
12 private school may adopt the pupil academic standards issued by the governor as  
13 executive order no. 326, dated January 13, 1998.

14           SECTION 2488f. 118.30 (1v) of the statutes is created to read:

15           118.30 (1v) Annually, the governing body of each private school participating  
16 in the program under s. 118.62 shall do all of the following:

17           (a) Administer the 4th grade examination adopted or approved by the state  
18 superintendent under sub. (1) to all pupils attending the 4th grade in the private  
19 school under s. 118.62.

20           (b) Administer the 8th grade examination adopted or approved by the state  
21 superintendent under sub. (1) to all pupils attending the 8th grade in the private  
22 school under s. 118.62.

1 (c) Administer the 10th grade examination adopted or approved by the state  
2 superintendent under sub. (1) to all pupils attending the 10th grade in the private  
3 school under s. 118.62.

4 (d) Administer to pupils attending the private school under s. 118.62 all other  
5 examinations in reading, mathematics, and science that are required to be  
6 administered to public school pupils under 20 USC 6311 (b) (3).

7 **SECTION 2488q.** 118.30 (2) (b) 1. of the statutes is amended to read:

8 118.30 (2) (b) 1. If a pupil is enrolled in a special education program under  
9 subch. V of ch. 115, the school board, operator of the charter school under s. 118.40  
10 (2r), governing body of the private school participating in the program under s.  
11 118.62, or governing body of the private school participating in the program under  
12 s. 119.23 shall comply with s. 115.77 (1m) (bg).

13 **SECTION 2488L.** 118.30 (2) (b) 2. of the statutes is amended to read:

14 118.30 (2) (b) 2. According to criteria established by the state superintendent  
15 by rule, the school board, operator of the charter school under s. 118.40 (2r),  
16 governing body of the private school participating in the program under s. 118.62, or  
17 governing body of the private school participating in the program under s. 119.23  
18 may determine not to administer an examination under this section to a  
19 limited-English speaking pupil, as defined under s. 115.955 (7), may permit the  
20 pupil to be examined in his or her native language, or may modify the format and  
21 administration of an examination for such pupils.

22 **SECTION 2488pm.** 118.30 (2) (b) 7. of the statutes is created to read:

23 118.30 (2) (b) 7. Upon the request of a pupil's parent or guardian, the governing  
24 body of a private school participating in the program under s. 118.62 shall excuse the  
25 pupil from taking an examination administered under sub. (1v) (a) to (c).

1           **SECTION 2488q.** 118.33 (1) (f) 2g. of the statutes is created to read:

2           118.33 (1) (f) 2g. The governing body of each private school participating in the  
3 program under s. 118.62 shall develop a policy specifying criteria for granting a high  
4 school diploma to pupils attending the private school under s. 118.62. The criteria  
5 shall include the pupil's academic performance and the recommendations of  
6 teachers.

7           **SECTION 2488u.** 118.33 (1) (f) 3. of the statutes is amended to read:

8           118.33 (1) (f) 3. Beginning on September 1, 2005, neither a school board nor an  
9 operator of a charter school under s. 118.40 (2r) may grant a high school diploma to  
10 any pupil unless the pupil has satisfied the criteria specified in the school board's or  
11 charter school's policy under subd. 1. or 2. Beginning on September 1, 2010, the  
12 governing body of a private school participating in the program under s. 119.23 may  
13 not grant a high school diploma to any pupil attending the private school under s.  
14 119.23 unless the pupil has satisfied the criteria specified in the governing body's  
15 policy under subd. 2m.

The governing body of a private school participating in the  
program under s. 118.62 may not grant a high school diploma to any pupil attending  
the private school under s. 118.62 unless the pupil has satisfied the criteria specified  
in the governing body's policy under subd. 2g.

Move to  
p. 409  
line 15 ✓

19           **SECTION 2488v.** 118.33 (6) (cg) of the statutes is created to read:

20           118.33 (6) (cg) 1. The governing body of each private school participating in the  
21 program under s. 118.62 shall adopt a written policy specifying criteria for promoting  
22 a pupil who is attending the private school under s. 118.62 from the 4th grade to the  
23 5th grade and from the 8th grade to the 9th grade. The criteria shall include the  
24 pupil's score on the examination administered under s. 118.30 (1v) (a) or (b), unless  
25 the pupil has been excused from taking the examination under s. 118.30 (2) (b); the

1 pupil's academic performance; the recommendations of teachers, which shall be  
2 based solely on the pupil's academic performance; and any other academic criteria  
3 specified by the governing body of the private school.

4 2. The governing body of a private school participating in the program under  
5 s. 118.62 may not promote a 4th grade pupil who is attending the private school  
6 under s. 118.62 to the 5th grade, and may not promote an 8th grade pupil who is  
7 attending the private school under s. 118.62 to the 9th grade, unless the pupil  
8 satisfies the criteria for promotion specified in the governing body's policy under  
9 subd. 1.".

10 **\*b0904/1.1\*1110.** Page 974, line 25: delete "the University of  
11 Wisconsin-Madison" and substitute "institutions within the University of Wisconsin  
12 System".

13 **\*b0731/P1.2\*1111.** Page 975, line 4: delete lines 4 to 8.

14 **\*b0989/2.6\*1112.** Page 975, line 9: delete the material beginning with that  
15 line and ending with page 976, line 10.

16 ~~**\*b0739/2.215\*1113.** Page 975, line 13: delete lines 13 and 14.~~ ✓

17 **\*b0741/1.2\*1114.** Page 976, line 11: delete lines 11 to 14.

18 **\*b0905/1.2\*1115.** Page 977, line 14: delete that line and substitute:

19 **"SECTION 2502m.** 118.40 (2r) (e) 2. of the statutes is renumbered 118.40 (2r) (e)  
20 4. and amended to read:

21 118.40 (2r) (e) 4. If the chancellor of the University of Wisconsin-Parkside  
22 establishes or contracts for the establishment of a charter school under this  
23 subsection, in March the department shall pay to the unified school district in which  
24 the charter school is located, from the appropriation under s. 20.255 (2) (fm), an

1 amount equal to the amount of school aid per pupil to which the unified school district  
2 is eligible in the current school year multiplied by the number of pupils attending the  
3 charter school who were previously enrolled in the unified school district, except that  
4 the payment may not exceed \$1,000,000 in the 2011-12 school year and may not  
5 exceed \$750,000 in the 2012-13 school year. No aid may be paid under this  
6 subdivision after the 2012-13 school year.”.

7 **\*b0901/1.15\*1116.** Page 977, line 16: delete lines 16 to 19.

8 **\*b0989/2.7\*1117.** Page 977, line 20: delete the material beginning with that  
9 line and ending with page 978, line 3.

10 **\*b0731/P1.3\*1118.** Page 978, line 4: delete lines 4 to 8.

11 **\*b0921/P2.1\*1119.** Page 978, line 9: after that line insert:

12 “SECTION 2507b. 118.43 (2) (b) 2. of the statutes is amended to read:

13 118.43 (2) (b) 2. The school board is not receiving a grant under the preschool  
14 to grade 5 program on behalf of the school under s. 115.45, 2009 stats.

15 SECTION 2507e. 118.43 (2) (bg) 2. of the statutes is amended to read:

16 118.43 (2) (bg) 2. The school board is not receiving a grant under the preschool  
17 to grade 5 program on behalf of the school under s. 115.45, 2009 stats.

18 SECTION 2507h. 118.43 (2) (br) 2. of the statutes is amended to read:

19 118.43 (2) (br) 2. The school board is not receiving a grant under the preschool  
20 to grade 5 program on behalf of any of the schools under s. 115.45, 2009 stats.

21 SECTION 2507j. 118.43 (2) (bt) 2. of the statutes is amended to read:

22 118.43 (2) (bt) 2. The school board is not receiving a grant under the preschool  
23 to grade 5 program on behalf of any of the schools under s. 115.45, 2009 stats.

24 SECTION 2507L. 118.43 (2) (bv) of the statutes is created to read:

1           118.43 (2) (bv) In the 2011-12 school year, the school board of an eligible school  
2 district may enter into a 5-year achievement guarantee contract with the  
3 department on behalf of one or more schools in the school district if, in the 2010-11  
4 school year, the school board received a grant under the preschool to grade 5 program  
5 on behalf of the schools under s. 115.45, 2009 stats.

6           **SECTION 2507n.** 118.43 (2) (g) of the statutes is amended to read:

7           118.43 (2) (g) The department may renew an achievement guarantee contract  
8 under pars. (b), (bg), (br), and (bt), and (bv) for one or more terms of 5 school years.  
9 Except as provided in sub. (3m), as a condition of receiving payments under a  
10 renewal of an achievement guarantee contract, a school board shall maintain the  
11 reduction of class size achieved during the last school year of the original  
12 achievement guarantee contract for the grades specified for the last school year of the  
13 contract.

14           **SECTION 2507p.** 118.43 (3) (intro.) of the statutes is amended to read:

15           118.43 (3) CONTRACT REQUIREMENTS. (intro.) Except as provided in pars. (am),  
16 (ar), and (at), and (av), an achievement guarantee contract shall require the school  
17 board to do all of the following in each participating school:

18           **SECTION 2507r.** 118.43 (3) (av) of the statutes is created to read:

19           118.43 (3) (av) *Class size; additional contracts.* For contracts that begin in the  
20 2011-12 school year, reduce each class size to 18 in the following manner:

- 21           1. In the 2011-12 school year, in at least grades kindergarten and one.
- 22           2. In the 2012-13 school year, in at least grades kindergarten to 2.
- 23           3. In the 2013-14 to 2015-16 school years, in at least grades kindergarten to
- 24           3.

25           **SECTION 2507u.** 118.43 (3m) (b) of the statutes is amended to read:

1           118.43 **(3m)** (b) A school board operating under an achievement guarantee  
2 contract entered into under sub. (3) (at) or (av) may combine 2 classes subject to the  
3 class size limitation in any school covered by the contract having at least 2 regular  
4 classroom teachers when the classes are combined if the combined class size is not  
5 greater than 30.

6           **SECTION 2507y.** 118.43 (6) (b) 10. of the statutes is amended to read:

7           118.43 **(6)** (b) 10. In the 2010-11 school year and any subsequent school year,  
8 \$2,250 multiplied by the number of low-income pupils enrolled in grades eligible for  
9 funding in each school in the school district covered by contracts under sub. (3) (at)  
10 and (av) and by renewals of contracts under sub. (2) (g).”.

11           **\*b0919/P1.1\*1120.** Page 978, line 10: delete the material beginning with  
12 that line and ending on page 980, line 14.

13           **\*b0919/P1.2\*1121.** Page 980, line 15: delete lines 15 to 21 and substitute:

14           **“SECTION 2513b.** 118.51 (3) (a) 6. of the statutes is amended to read:

15           118.51 **(3)** (a) 6. If an application is accepted, on or before the first Friday  
16 following the first Monday in June following receipt of a notice of acceptance, ~~or~~  
17 ~~within 10 days of receiving a notice of acceptance if a pupil is selected from a waiting~~  
18 ~~list under s. 118.40 (8) (h) 5.,~~ the pupil’s parent shall notify the nonresident school  
19 board of the pupil’s intent to attend school in that school district in the following  
20 school year.”.

21           **\*b0919/P1.3\*1122.** Page 980, line 24: delete “~~June 30~~ July 7” and substitute  
22 “June 30”.

23           **\*b0919/P1.4\*1123.** Page 981, line 6: delete the material beginning with that  
24 line and ending on page 989, line 10.