

(K) cont.

1 ***-1465/P4.846* *-0808/2.319* SECTION 2376.** 101.144 (3m) (b) of the statutes
2 is amended to read:

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

8 ***-1465/P4.847* *-0808/2.320* SECTION 2377.** 101.149 (6) (b) of the statutes
9 is amended to read:

10 101.149 (6) (b) The department shall promulgate rules, in consultation with
11 the department of health services, under which the department of ~~commerce~~ safety
12 and professional services shall authorize certified heating, ventilating, and air
13 conditioning inspectors to conduct regular inspections of sealed combustion units, as
14 required under par. (5) (c), for carbon monoxide emissions in residential buildings
15 other than hotels, tourist rooming houses, and bed and breakfast establishments.
16 The rules shall specify conditions under which it may issue orders as specified under
17 sub. (8) (a). The rules may not require the department of ~~commerce~~ safety and
18 professional services to authorize inspection of sealed combustion units during the
19 period in which the sealed combustion units are covered by a manufacturer's
20 warranty against defects.

21 ***-1465/P4.848* *-0808/2.321* SECTION 2378.** 101.149 (8) (a) of the statutes
22 is amended to read:

23 101.149 (8) (a) If the department of ~~commerce~~ safety and professional services
24 or the department of health services determines after an inspection of a building
25 under this section or s. 254.74 (1g) that the owner of the building has violated sub.

1 (2) or (3), the respective department shall issue an order requiring the person to
2 correct the violation within 5 days or within such shorter period as the respective
3 department determines is necessary to protect public health and safety. If the person
4 does not correct the violation within the time required, he or she shall forfeit \$50 for
5 each day of violation occurring after the date on which the respective department
6 finds that the violation was not corrected.

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

8 101.19 (1) (k) Administering subch. VII, except that the department may not
9 charge a fee for an emergency elevator mechanic's license under s. 101.985 (2) (c) ~~or~~
10 ~~a conveyance operation permit under s. 101.983 (2) for a platform lift, stairway chair~~
11 ~~lift, or any other lift in a private residence.~~

12 ***-1465/P4.849* *-0808/2.322* SECTION 2379.** 101.563 (2) (b) 1. of the statutes
13 is amended to read:

14 101.563 (2) (b) 1. 'Payments from calendar year 2001 dues.' Notwithstanding
15 s. 101.573 (3) (a), by the 30th day following July 30, 2002, the department shall
16 compile the fire department dues paid by all insurers under s. 601.93 and the dues
17 paid by the state fire fund under s. 101.573 (1) and funds remaining under s. 101.573
18 (3) (b), subtract the total amount due to be paid under par. (a), withhold 0.5%, and
19 certify to the secretary of administration the proper amount to be paid from the
20 appropriation under s. ~~20.143 (3)~~ 20.165 (2) (L) to each city, village, and town entitled
21 to a proportionate share of fire department dues as provided under sub. (1) (b) and
22 s. 101.575. If the department has previously certified an amount to the secretary of
23 administration under s. 101.573 (3) (a) during calendar year 2002, the department
24 shall recertify the amount in the manner provided under this subdivision. On or
25 before August 1, 2002, the secretary of administration shall pay the amounts

1 certified or recertified by the department under this subdivision to each city, village,
2 and town entitled to a proportionate share of fire department dues as provided under
3 sub. (1) and s. 101.575. The secretary of administration may combine any payment
4 due under this subdivision with any amount due to be paid on or before August 1,
5 2002, to the same city, village, or town under par. (a).

6 ***-1465/P4.850* *-0808/2.323* SECTION 2380.** 101.563 (2) (b) 2. of the statutes
7 is amended to read:

8 101.563 (2) (b) 2. 'Payments from dues for calendar years 2002 to 2004.'
9 Notwithstanding s. 101.573 (3) (a) and except as otherwise provided in this
10 subdivision, on or before May 1 in each year, the department shall compile the fire
11 department dues paid by all insurers under s. 601.93 and the dues paid by the state
12 fire fund under s. 101.573 (1) and funds remaining under s. 101.573 (3) (b), withhold
13 0.5% and certify to the secretary of administration the proper amount to be paid from
14 the appropriation under s. ~~20.143 (3)~~ 20.165 (2) (L) to each city, village, and town
15 entitled to a proportionate share of fire department dues as provided under sub. (1)
16 (b) and s. 101.575. Annually, on or before August 1, the secretary of administration
17 shall pay the amounts certified by the department to each such city, village, and
18 town. This paragraph applies only to payment of a proportionate share of fire
19 department dues collected for calendar years 2002 to 2004.

20 ***-1465/P4.851* *-0808/2.324* SECTION 2381.** 101.573 (3) (a) of the statutes
21 is amended to read:

22 101.573 (3) (a) On or before May 1 in each year, the department shall compile
23 the fire department dues paid by all insurers under s. 601.93 and the dues paid by
24 the state fire fund under sub. (1) and funds remaining under par. (b), withhold .5%
25 and certify to the secretary of administration the proper amount to be paid from the

1 appropriation under s. ~~20.143 (3)~~ 20.165 (2) (L) to each city, village, or town entitled
2 to fire department dues under s. 101.575. Annually, on or before August 1, the
3 secretary of administration shall pay the amounts certified by the department to the
4 cities, villages and towns eligible under s. 101.575.

5 ***-1465/P4.852* *-0808/2.325* SECTION 2382.** 101.573 (5) of the statutes is
6 amended to read:

7 101.573 (5) The department shall promulgate a rule defining “administrative
8 expenses” for purposes of s. ~~20.143 (3)~~ 20.165 (2) (La).

9 ***-1465/P4.853* *-0808/2.326* SECTION 2383.** 101.657 (5) of the statutes is
10 amended to read:

11 101.657 (5) From the appropriation under s. ~~20.143 (3)~~ 20.165 (2) (j), beginning
12 with fiscal year 2005-06, the department shall allocate \$100,000 annually for the
13 contract required under sub. (2) and at least \$600,000 annually for the contract
14 required under sub. (3).

15 ***-1465/P4.854* *-0808/2.327* SECTION 2384.** 101.935 (2) (e) of the statutes
16 is amended to read:

17 101.935 (2) (e) Section 254.69 (2), as it applies to an agent for the department
18 of health services in the administration of s. 254.47, applies to an agent for the
19 department of ~~commerce~~ safety and professional services in the administration of
20 this section.

21 ***-1465/P4.855* *-0808/2.328* SECTION 2385.** 101.951 (7) (a) of the statutes
22 is amended to read:

23 101.951 (7) (a) The department of ~~commerce~~ safety and professional services
24 may, without notice, deny the application for a license within 60 days after receipt
25 thereof by written notice to the applicant, stating the grounds for the denial. Within

1 30 days after such notice, the applicant may petition the department of
2 administration to conduct a hearing to review the denial, and a hearing shall be
3 scheduled with reasonable promptness. The division of hearings and appeals shall
4 conduct the hearing. This paragraph does not apply to denials of applications for
5 licenses under s. 101.02 (21).

6 ***-1465/P4.856* *-0808/2.329* SECTION 2386.** 101.951 (7) (b) of the statutes
7 is amended to read:

8 101.951 (7) (b) No license may be suspended or revoked except after a hearing
9 thereon. The department of ~~commerce~~ safety and professional services shall give the
10 licensee at least 5 days' notice of the time and place of the hearing. The order
11 suspending or revoking such license shall not be effective until after 10 days' written
12 notice thereof to the licensee, after such hearing has been had; except that the
13 department of ~~commerce~~ safety and professional services, when in its opinion the
14 best interest of the public or the trade demands it, may suspend a license upon not
15 less than 24 hours' notice of hearing and with not less than 24 hours' notice of the
16 suspension of the license. Matters involving suspensions and revocations brought
17 before the department of ~~commerce~~ safety and professional services shall be heard
18 and decided upon by the department of administration. The division of hearings and
19 appeals shall conduct the hearing. This paragraph does not apply to licenses that
20 are suspended or revoked under s. 101.02 (21).

21 ***-1465/P4.857* *-0808/2.330* SECTION 2387.** 101.951 (7) (c) of the statutes
22 is amended to read:

23 101.951 (7) (c) The department of ~~commerce~~ safety and professional services
24 may inspect the pertinent books, records, letters and contracts of a licensee. The
25 actual cost of each such examination shall be paid by such licensee so examined

1 within 30 days after demand therefor by the department, and the department may
2 maintain an action for the recovery of such costs in any court of competent
3 jurisdiction.

4 ***-1465/P4.858* *-0808/2.331* SECTION 2388.** 101.953 (1) (a) of the statutes
5 is amended to read:

6 101.953 (1) (a) A statement that the manufactured home meets those
7 standards prescribed by law or administrative rule of the department of
8 administration or of the department of ~~commerce~~ safety and professional services
9 that are in effect at the time of the manufacture of the manufactured home.

10 ***-1465/P4.859* *-0808/2.332* SECTION 2389.** 101.973 (8) of the statutes is
11 amended to read:

12 101.973 (8) Deposit the moneys received from the fees under sub. (7) in the
13 appropriation under s. ~~20.143 (3)~~ 20.165 (2) (j).

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

15 101.981 (1) (c) "Conveyance" means an elevator, an escalator, a dumbwaiter,
16 a belt manlift, a moving walkway, a platform lift, ~~a personnel hoist, a material hoist~~
17 and a stairway chair lift, and any other similar device, such as an automated people
18 mover, used to elevate or move people or things, as provided in the rules of the
19 department. "Conveyance" does not include a personnel hoist; a material hoist; a
20 grain elevator; a ski lift or towing device, or; an amusement or thrill ride; or a vertical
21 platform lift, inclined platform lift, or a stairway chair lift that serves an individual
22 residential dwelling unit.

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

24 101.983 (2) (c) *Inspections.* The department may not issue or renew a permit
25 under this subsection unless the department has received an inspection report for

1 the conveyance issued by an elevator inspector licensed under s. 101.985 (3)
2 indicating that the conveyance complies with this subchapter and any applicable
3 rules promulgated under this subchapter. ~~Upon request of the owner of a private~~
4 ~~residence containing a newly installed platform lift, stairway chair lift, or residential~~
5 ~~lift or of the new owner of a private residence containing a previously installed~~
6 ~~platform lift, stairway chair lift, or residential lift, the department shall inspect the~~
7 ~~lift or equipment for compliance with this subchapter and any applicable rules~~
8 ~~promulgated under this subchapter. This inspection by the department does not~~
9 ~~exempt the owner from the requirement to ensure that the department receives an~~
10 ~~inspection report from a licensed elevator inspector. Upon performing this~~
11 ~~inspection, the department shall give the owner notice of relevant conveyance safety~~
12 ~~requirements and shall instruct the owner as to the procedure for obtaining periodic~~
13 ~~inspections and renewing the permit under which the lift or equipment is operated.~~

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

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

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

23 103.49 (1) (br) "Multiple-trade project of public works" means a project of
24 public works in which no single trade accounts for 85 percent or more of the total
25 labor cost of the project.

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

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

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

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

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

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

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

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

1 not entitled to receive the prevailing wage rate determined under sub. (3) or to
2 receive at least 1.5 times his or her hourly basic rate of pay for all hours worked in
3 excess of the prevailing hours of labor unless any of the following applies:

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

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

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

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

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

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

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

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

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

8 103.49 (3g) (f) A public highway, street, or bridge project.

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

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

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

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

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

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

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

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

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

24 103.50 (2g) NONAPPLICABILITY. This section does not apply to a single-trade
25 project of public works, as defined in s. 103.49 (1) (em), for which the estimated

1 project cost of completion is less than \$48,000 or a multiple-trade project of public
2 works, as defined in s. 103.49 (1) (br), for which the estimated project cost of
3 completion is less than \$100,000.

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

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

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

15 103.50 (2m) (b) 1. The laborer, worker, mechanic or truck driver is employed
16 to go to the source of mineral aggregate such as sand, gravel or stone ~~that is to be~~
17 ~~immediately incorporated into the work, and not stockpiled or further transported~~
18 ~~by truck, pick up that mineral aggregate and deliver that mineral aggregate to the~~
19 site of a project that is subject to this section by depositing the material ~~substantially~~
20 ~~in place, directly~~ in final place, from transporting the vehicle or through spreaders
21 from the transporting vehicle.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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
25 issue general or special orders fixing for those minors maximum hours of

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

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

14 103.68 (1) No minor shall may be employed or permitted to work at any gainful
15 occupation ~~other than domestic service, farm labor, or service as an election inspector~~
16 ~~under s. 7.30 (2) (am) for more than 8 hours in any one day nor more than 40 hours~~
17 ~~nor more than 6 days in any one week, nor during such hours as the minor is required~~
18 ~~under s. 118.15 to attend school.~~

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

21 103.68 (2) (intro.) No minor under 16 shall years of age may be employed or
22 permitted to work in any gainful occupation, other than ~~domestic service or farm~~
23 ~~labor more than 24 hours in any one week, nor, except in domestic service, farm labor,~~
24 ~~or in public exhibitions, as defined provided in s. 103.78, or in street trades as defined~~
25 ~~in s. 103.21, before 7 a.m. nor after 6 p.m. as follows:~~

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

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

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

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

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

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

8 ***-1146/1.27*** **SECTION 2391.** 106.14 (2) of the statutes is amended to read:

9 106.14 (2) The department shall publicize and maintain on its job center Web
10 site information related to the job ~~programs under ss.~~ program under s. 49.147 (3)
11 and ~~49.162~~ so that employers and individuals seeking employment may obtain
12 information about the ~~programs~~ program, including how to participate in ~~them~~ it.

13 ***-0178/1.3*** **SECTION 2392.** 106.15 (3) (intro.) of the statutes is amended to
14 read:

15 106.15 (3) GRANTS. (intro.) From the ~~appropriations~~ appropriation under s.
16 20.445 (1) ~~(bc), (jm), and (m)~~, the department shall make grants to persons providing
17 employment and training activities to dislocated workers including all of the
18 following:

19 ***-1465/P4.860*** ***-1059/P3.519*** **SECTION 2393.** 106.16 (3) of the statutes is
20 amended to read:

21 106.16 (3) A state agency or an authority under ch. 231 or 234 shall notify the
22 ~~department of commerce~~ Wisconsin Economic Development Corporation if it makes
23 a loan or grant to a company.

24 ***-1465/P4.861*** ***-0808/2.333*** **SECTION 2394.** 106.20 (1) (e) of the statutes is
25 amended to read:

1 106.20 (1) (e) "Minority business" has the meaning given in s. ~~560.036~~ 16.287
2 (1) (e).

3 ***-1465/P4.862* *-0808/2.334* SECTION 2395.** 106.30 (2) of the statutes is
4 amended to read:

5 106.30 (2) SURVEY FORM. Each odd-numbered year, the department of
6 workforce development shall develop and submit to the department of ~~regulation~~
7 ~~and licensing~~ safety and professional services a survey form to gather data under s.
8 441.01 (7) (a) 1. to assist the department of workforce development in evaluating the
9 supply of, demand for, and turnover among nurses in this state and in determining
10 whether there are any regional shortages of nurses, shortages of nurses in any
11 speciality areas, or impediments to entering the nursing profession in this state.

12 ***-1465/P4.863* *-0808/2.335* SECTION 2396.** 106.30 (5) (a) of the statutes is
13 amended to read:

14 106.30 (5) (a) From the appropriation account under s. 20.445 (1) (km), the
15 department of workforce development shall award grants equal to the amount
16 appropriated under s. 20.445 (1) (km) minus the amount expended under sub. (4) to
17 a nonprofit statewide nursing center that is comprised of and led by nurses and that
18 has demonstrated coordination with constituent groups within the nursing
19 community, including professional nursing organizations; organizations
20 representing nurse educators, staff nurses, and nurse managers or executives; labor
21 organizations representing nurses; the department of ~~regulation and licensing~~
22 safety and professional services; the department of health services; and legislators
23 who are concerned with issues affecting the nursing profession.

24 ***-1465/P4.864* *-0808/2.336* SECTION 2397.** 106.30 (5) (b) of the statutes is
25 amended to read:

1 106.30 (5) (b) A statewide nursing center that receives a grant under par. (a)
2 shall use the grant moneys to develop strategies to ensure that there is a nursing
3 workforce that is adequate to meet the current and future health care needs of this
4 state. The statewide nursing center may use those moneys to fund activities that are
5 aimed at ensuring such a nursing workforce, including monitoring trends in the
6 applicant pool for nursing education programs; evaluating the effectiveness of
7 nursing education programs in increasing access to those programs and in
8 enhancing career mobility for nurses, especially for populations that are
9 underrepresented in the nursing profession; and facilitating partnerships between
10 the nursing community and other health care providers, the department of
11 ~~regulation and licensing~~ safety and professional services, the business community,
12 the legislature, and educators to promote diversity within the nursing profession,
13 enhance career mobility and leadership development for nurses, and achieve
14 consensus regarding policies aimed at ensuring an adequate nursing workforce in
15 this state.

16 *~~-1465/P4.865~~* *~~-0808/2.337~~* **SECTION 2398.** 106.50 (6) (a) 3. of the statutes
17 is amended to read:

18 106.50 (6) (a) 3. The complaint may be filed by an aggrieved person, by an
19 interested person, by the department of workforce development under par. (b) or, if
20 the complaint charges a violation of sub. (2r) (c), by the department of ~~commerce~~
21 safety and professional services. The department of workforce development shall,
22 upon request, provide appropriate assistance in completing and filing complaints.

23 *~~-1465/P4.866~~* *~~-0808/2.338~~* **SECTION 2399.** 106.50 (6) (b) of the statutes is
24 amended to read:

1 106.50 (6) (b) *Powers and duties of department.* The department of workforce
2 development and its duly authorized agents may hold hearings, subpoena witnesses,
3 take testimony and make investigations as provided in this subsection. The
4 department of workforce development may test and investigate for the purpose of
5 establishing violations of sub. (2), (2m) or (2r) and may make, sign and file
6 complaints alleging violations of sub. (2), (2m) or (2r). In addition, the department
7 of ~~commerce~~ safety and professional services may make, sign and file complaints
8 alleging violations of sub. (2r) (c). The department of workforce development shall
9 employ examiners to hear and decide complaints of discrimination under this
10 section, and to assist in the administration of this section. The examiners may make
11 findings and issue orders under this subsection. The department of workforce
12 development shall develop and implement an investigation manual for use in
13 conducting investigations under par. (c).

14 *~~-1465/P4.867~~* *~~-0808/2.339~~* **SECTION 2400.** 107.30 (4) of the statutes is
15 amended to read:

16 107.30 (4) "Department" means the department of ~~commerce~~ safety and
17 professional services.

18 *~~-1465/P4.868~~* *~~-0808/2.340~~* **SECTION 2401.** 107.30 (10) of the statutes is
19 amended to read:

20 107.30 (10) "Mining damage appropriation" means the appropriation under s.
21 ~~20.143 (3)~~ 20.165 (2) (a).

22 *~~-1465/P4.869~~* *~~-0808/2.341~~* **SECTION 2402.** 107.31 (5) (a) (intro.) of the
23 statutes is amended to read:

24 107.31 (5) (a) *Calculation.* (intro.) The mining damage reserve accumulation
25 is calculated by subtracting the total amount of all mining damages awards paid

1 from the appropriation under s. 20.445 (4) (a), 2001 stats., beginning on May 22, 1980
2 or paid from the appropriation under s. ~~20.143 (3)~~ 20.165 (2) (a) from the sum of:

3 ***-1465/P4.870* *-0808/2.342* SECTION 2403.** 108.02 (21e) (intro.) of the
4 statutes is amended to read:

5 108.02 (21e) PROFESSIONAL EMPLOYER ORGANIZATION. (intro.) “Professional
6 employer organization” means any person who is currently registered as a
7 professional employer organization with the department of ~~regulation and licensing~~
8 safety and professional services in accordance with ch. 461, who contracts to provide
9 the nontemporary, ongoing employee workforce of more than one client under a
10 written leasing contract, the majority of whose clients are not under the same
11 ownership, management, or control as the person other than through the terms of
12 the contract, and who under contract and in fact:

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
24 which the department receives a report of the claimant’s failure or refusal under this
25 paragraph. This paragraph applies to the extent permitted under federal law.

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

2 108.04 (3) **WAITING PERIOD.** The first week of a claimant's benefit year for which
3 the claimant has timely applied and is otherwise eligible for regular benefits under
4 this chapter is the claimant's waiting period for that benefit year.

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

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

16 ***-1465/P4.871* *-1059/P3.520*** **SECTION 2404.** 109.07 (1m) (b) of the statutes
17 is amended to read:

18 109.07 (1m) (b) The department shall promptly provide a copy of the notice
19 required under par. (a) ~~to the department of commerce and to the office of the~~
20 ~~commissioner of insurance and shall cooperate with the department of commerce in~~
21 ~~the performance of its responsibilities under s. 560.15 and with the office of the~~
22 ~~commissioner of insurance in the performance of its responsibilities under s. 601.41~~
23 (7).

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

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

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

4 110.08 (5) (a) The department shall provide in each county, directly or by
5 contract as described in par. (b), at least 20 hours per week of services relating to
6 operator's licenses and identification cards.

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

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

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

1 103.82, 104.12, and 229.8275. In pursuance of this duty, the department may sue the
2 employer on behalf of the employee to collect any wage claim or wage deficiency and
3 ss. 109.03 (6) and 109.11 (2) and (3) shall apply to such actions. Except for actions
4 under s. 109.10, the department may refer such an action to the district attorney of
5 the county in which the violation occurs for prosecution and collection and the
6 district attorney shall commence an action in the circuit court having appropriate
7 jurisdiction. Any number of wage claims or wage deficiencies against the same
8 employer may be joined in a single proceeding, but the court may order separate
9 trials or hearings. In actions that are referred to a district attorney under this
10 subsection, any taxable costs recovered by the district attorney shall be paid into the
11 general fund of the county in which the violation occurs and used by that county to
12 meet its financial responsibility under s. 978.13 (2) (b) for the operation of the office
13 of the district attorney who prosecuted the action.

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

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

18 ***-1356/2.27* SECTION 2405.** 111.70 (1) (a) of the statutes is amended to read:

19 111.70 (1) (a) "Collective bargaining" means the performance of the mutual
20 obligation of a municipal employer, through its officers and agents, and the
21 representative of its municipal employees in a collective bargaining unit, to meet and
22 confer at reasonable times, in good faith, with the intention of reaching an
23 agreement, or to resolve questions arising under such an agreement, with respect to
24 wages, hours, and conditions of employment, and with respect to a requirement of
25 the municipal employer for a municipal employee to perform law enforcement and

1 fire fighting services under s. ~~60.553, 61.66, or 62.13 (2e)~~ and for a school district with
2 respect to any matter under sub. (4) (n) and (o), ~~and for a school district with respect~~
3 ~~to any matter under sub. (4) (n)~~, except as provided in subs. (3m), (3p), and (4) (m)
4 and (mc) and s. 40.81 (3) and except that a municipal employer shall not meet and
5 confer with respect to any proposal to diminish or abridge the rights guaranteed to
6 municipal employees under ch. 164. The duty to bargain, however, does not compel
7 either party to agree to a proposal or require the making of a concession. Collective
8 bargaining includes the reduction of any agreement reached to a written and signed
9 document. The municipal employer shall not be required to bargain on subjects
10 reserved to management and direction of the governmental unit except insofar as the
11 manner of exercise of such functions affects the wages, hours, and conditions of
12 employment of the municipal employees in a collective bargaining unit. In creating
13 this subchapter the legislature recognizes that the municipal employer must
14 exercise its powers and responsibilities to act for the government and good order of
15 the jurisdiction which it serves, its commercial benefit and the health, safety, and
16 welfare of the public to assure orderly operations and functions within its
17 jurisdiction, subject to those rights secured to municipal employees by the
18 constitutions of this state and of the United States and by this subchapter.

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

20 111.70 (1) (j) "Municipal employer" means any city, county, village, town,
21 metropolitan sewerage district, school district, long-term care district, ~~transit~~
22 ~~authority under s. 59.58 (7) or 66.1039~~, or any other political subdivision of the state,
23 or instrumentality of one or more political subdivisions of the state, that engages the
24 services of an employee and includes any person acting on behalf of a municipal
25 employer within the scope of the person's authority, express or implied, but

1 specifically does not include a local cultural arts district created under subch. V of
2 ch. 229.

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

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

6 *-1253/P1.1* SECTION 2408. 111.70 (4) (d) 2. a. of the statutes is amended to
7 read:

8 111.70 (4) (d) 2. a. The commission shall determine the appropriate collective
9 bargaining unit for the purpose of collective bargaining and shall whenever possible,
10 unless otherwise required under this subchapter, avoid fragmentation by
11 maintaining as few collective bargaining units as practicable in keeping with the size
12 of the total municipal workforce. In making such a determination, the commission
13 may decide whether, in a particular case, the municipal employees in the same or
14 several departments, divisions, institutions, crafts, professions, or other
15 occupational groupings constitute a collective bargaining unit. Before making its
16 determination, the commission may provide an opportunity for the municipal
17 employees concerned to determine, by secret ballot, whether they desire to be
18 established as a separate collective bargaining unit. The commission shall not
19 decide, however, that any group of municipal employees constitutes an appropriate
20 collective bargaining unit if the group includes both professional employees and
21 nonprofessional employees, unless a majority of the professional employees vote for
22 inclusion in the unit. The commission shall not decide that any group of municipal
23 employees constitutes an appropriate collective bargaining unit if the group includes
24 both craft employees and noncraft employees unless a majority of the craft employees
25 vote for inclusion in the unit. The commission shall place the professional employees

1 who are assigned to perform any services at a charter school, as defined in s. 115.001
2 (1), in a separate collective bargaining unit from a unit that includes any other
3 professional employees whenever at least 30% of those professional employees
4 request an election to be held to determine that issue and a majority of the
5 professional employees at the charter school who cast votes in the election decide to
6 be represented in a separate collective bargaining unit. ~~Upon the expiration of any~~
7 ~~collective bargaining agreement in force, the commission shall combine into a single~~
8 ~~collective bargaining unit 2 or more collective bargaining units consisting of school~~
9 ~~district employees if a majority of the employees voting in each collective bargaining~~
10 ~~[2408; AA-AB40; Page: 957, Line: 4; Invalid Instruction]unit vote to combine.~~
11 Any vote taken under this subsection shall be by secret ballot.

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

13 111.70 (4) (jm) 4w. In determining the proper compensation to be received by
14 members of the police department under subd. 4., the arbitrator shall give greater
15 weight to the economic conditions in the 1st class city than the arbitrator gives to the
16 factors under subd. 5. The arbitrator shall give an accounting of the consideration
17 of this factor in the arbitrator's decision.

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

19 111.70 (4) (jm) 5. (intro.) In determining the proper compensation to be received
20 by members of the police department under subd. 4., in addition to the factor under
21 subd. 4w., the arbitrator shall utilize:

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

23 111.70 (4) (mc) 5. If the collective bargaining unit contains a public safety
24 employee who is initially employed on or after the effective date of this subdivision
25 ... [LRB inserts date], the requirement under ss. 40.05 (1) (b), 59.875, and 62.623

1 that the municipal employer may not pay, on behalf of that public safety employee
2 any employee required contributions or the employee share of required
3 contributions, and the impact of this requirement on the wages, hours, and
4 conditions of employment of that public safety employee. If a public safety employee
5 is initially employed by a municipal employer before the effective date of this
6 subdivision [LRB inserts date], this subdivision does not apply to that public
7 safety employee if he or she is employed as a public safety employee by a successor
8 municipal employer in the event of a combined department that is created on or after
9 that date.

10 6. The design and selection of health care coverage plans by the municipal
11 employer for public safety employees, and the impact of the design and selection of
12 the health care coverage plans on the wages, hours, and conditions of employment
13 of the public safety employee.

14 **SECTION 2409it.** 111.77 (6) of the statutes is renumbered 111.77 (6) (bm), and
15 111.77 (6) (bm) (intro.), as renumbered, is amended to read:

16 111.77 (6) (bm) (intro.) In reaching a decision, in addition to the factors under
17 par. (am), the arbitrator shall give weight to the following factors:

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

19 111.77 (6) (am) In reaching a decision, the arbitrator shall give greater weight
20 to the economic conditions in the jurisdiction of the municipal employer than the
21 arbitrator gives to the factors under par. (bm). The arbitrator shall give an
22 accounting of the consideration of this factor in the arbitrator's decision.

23 **SECTION 2409cp.** 111.70 (4) (mc) 1., 2. and 3. of the statutes are repealed.

24 ***-1187/P5.415* SECTION 2416.** 111.815 (1) of the statutes is amended to read:

1 111.815 (1) In the furtherance of this subchapter, the state shall be considered
2 as a single employer and employment relations policies and practices throughout the
3 state service shall be as consistent as practicable. The office shall negotiate and
4 administer collective bargaining agreements except that the department of health
5 services, subject to the approval of the federal centers for medicare and medicaid
6 services to use collective bargaining as the method of setting rates for
7 reimbursement of home care providers, shall negotiate and administer collective
8 bargaining agreements entered into with the collective bargaining unit specified in
9 s. 111.825 (2g). To coordinate the employer position in the negotiation of agreements,
10 the office, or the department of health services with regard to collective bargaining
11 agreements entered into with the collective bargaining unit specified in s. 111.825
12 (2g), shall maintain close liaison with the legislature relative to the negotiation of
13 agreements and the fiscal ramifications of those agreements. Except with respect
14 to the collective bargaining units specified in s. 111.825 (1m), (2) (f), and (2g), the
15 office is responsible for the employer functions of the executive branch under this
16 subchapter, and shall coordinate its collective bargaining activities with operating
17 state agencies on matters of agency concern. The legislative branch shall act upon
18 those portions of tentative agreements negotiated by the office that require
19 legislative action. [?] *el* With respect to the collective bargaining units specified in s.
20 111.825 (1m), the University of Wisconsin Hospitals and Clinics Board is responsible
21 for the employer functions under this subchapter. With respect to the collective
22 bargaining unit specified in s. 111.825 (2) (f), the governing board of the charter
23 school established by contract under s. 118.40 (2r) *el* (cm) is responsible for the
24 employer functions under this subchapter. With respect to the collective bargaining

1 unit specified in s. 111.825 (2g), the department of health services is responsible for
2 the employer functions of the executive branch under this subchapter.

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

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

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

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

18 ***-1465/P4.872* *-1059/P3.521* SECTION 2432.** 114.31 (6) of the statutes is
19 amended to read:

20 114.31 (6) TECHNICAL SERVICES TO MUNICIPALITIES. The secretary may, insofar
21 as is reasonably possible, offer the engineering or other technical service of the
22 department, to any municipality desiring them in connection with the construction,
23 maintenance or operation or proposed construction, maintenance or operation of an
24 airport. The secretary may assess reasonable costs for services including services
25 performed while acting as agent for a municipality. Such assessment shall include

1 properly allocated administrative costs. Municipalities are authorized to cooperate
2 with the secretary in the development of aeronautics and aeronautical facilities in
3 this state. The ~~department of commerce~~ Wisconsin Economic Development
4 Corporation and all other agencies are authorized and directed to make available
5 such facilities and services, and to cooperate as far as possible to promote the best
6 interests of aeronautics of the state.

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

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

21 ***-1465/P4.873* *-0805/P2.24* SECTION 2433.** 114.33 (10) of the statutes is
22 amended to read:

23 114.33 (10) Subject to the approval of the governor under this subsection, the
24 secretary may sell at public or private sale property of whatever nature owned by the
25 state and under the jurisdiction of the secretary when the secretary determines that

1 the property is no longer necessary for the state's use for airport purposes and, if real
 2 property, the real property is not the subject of a petition under s. ~~568.9810~~ 16.310
 3. The secretary shall present to the governor a full and complete report of the
 4 property to be sold, the reason for the sale, and the minimum price for which the
 5 property should be sold, together with an application for the governor's approval of
 6 the sale. The governor shall investigate the proposed sale as he or she deems
 7 necessary and approve or disapprove the application. Upon approval and receipt of
 8 the full purchase price, the secretary shall by appropriate deed or other instrument
 9 transfer the property to the purchaser. The funds derived from the sale shall be
 10 deposited in the appropriate airport fund, and the expense incurred by the secretary
 11 in connection with the sale shall be paid from that fund. This subsection does not
 12 apply to real property that is sold under s. 16.848.

13 ***-1279/3.2* SECTION 2437.** 115.28 (12) of the statutes is created to read:

14 115.28 (12) STUDENT INFORMATION SYSTEM. (a) Working with the office of the
 15 governor, establish a student information system to collect and maintain
 16 information about pupils enrolled in public schools, including their academic
 17 performance and demographic information, aggregated by school district, school,
 18 and teacher.

19 (b) Ensure that within 5 years of the establishment of the system under par.

20 (a), every school district is using the system. The state superintendent may
 21 promulgate rules authorizing the department to charge a fee to any person that uses
 22 the system. All fees shall be credited to the appropriation account under s. 20.255

23 (1) (jm).

24 ***-1213/1.17* SECTION 2438.** 115.28 (24) of the statutes is amended to read:

1 115.28 (24) PRIORITY IN AWARDING GRANTS. Give priority in awarding grants to
2 school boards under ~~ss. s. 115.36 and 115.361~~, and in awarding grants from federal
3 funds received under 20 USC 2301 to 2471, 20 USC 4601 to 4665 and 29 USC 2862
4 (b) (1) (B), to programs that provide more than one of the educational services
5 specified under s. 115.36, ~~115.361~~, 115.915, 118.01 (2) (d) 7. or 8. or 118.153 or 20 USC
6 2301 to 2471, 20 USC 4601 to 4665 or 29 USC 2862 (b) (1) (B).

7 *~~-1213/1.18~~* SECTION 2439. 115.28 (35) of the statutes is repealed.

8 *~~-1213/1.19~~* SECTION 2440. 115.28 (39) of the statutes is amended to read:

9 115.28 (39) ALCOHOL AND OTHER DRUG ABUSE REPORT. ~~By July 1, 1998, and~~
10 ~~biennially~~ Biennially by July 1 thereafter, evaluate the effectiveness of the programs
11 under ~~ss. s. 115.36 and 115.361~~ and submit a report to the legislature under s. 13.172
12 (2). ~~To satisfy this reporting requirement as it pertains to s. 115.361, the department~~
13 ~~may incorporate into the report under this subsection the report required under s.~~
14 ~~115.361 (2).~~

15 *~~-1213/1.20~~* SECTION 2441. 115.28 (45) of the statutes is repealed.

16 *~~-1213/1.21~~* SECTION 2442. 115.28 (46) of the statutes is repealed.

17 *~~-1213/1.22~~* SECTION 2443. 115.28 (47) of the statutes is repealed.

18 *~~-1465/P4.874~~* *~~-0808/2.343~~* SECTION 2446. 115.33 (2) (a) (intro.) of the
19 statutes is amended to read:

20 115.33 (2) (a) (intro.) The state superintendent may request the department
21 of ~~commerce~~ safety and professional services to inspect a public school if any of the
22 following occurs:

23 *~~-1465/P4.875~~* *~~-0808/2.344~~* SECTION 2447. 115.33 (2) (b) of the statutes is
24 amended to read:

1 115.33 (2) (b) The department of ~~commerce~~ safety and professional services
2 shall inspect the school within 30 days after receiving a request from the state
3 superintendent under par. (a).

4 ***-1465/P4.876* *-0808/2.345* SECTION 2448.** 115.33 (3) (a) of the statutes is
5 amended to read:

6 115.33 (3) (a) If the state superintendent determines that a school is not in
7 compliance, and the department of ~~commerce~~ safety and professional services, based
8 on its inspection of the school, concurs in the determination, the state
9 superintendent may order the school board to repair, improve, remodel or close the
10 school by a stated date. An order issued under this paragraph constitutes a
11 preliminary finding of noncompliance with the standard under s. 121.02 (1) (i).

12 ***-1465/P4.877* *-0808/2.346* SECTION 2449.** 115.33 (3) (b) 1. of the statutes
13 is amended to read:

14 115.33 (3) (b) 1. If the state superintendent determines that a school is not in
15 compliance and is not worth repairing, and the department of ~~commerce~~ safety and
16 professional services, based on its inspection of the school, concurs in the
17 determination, the state superintendent may order the school board to develop a
18 plan that describes how the school board will achieve compliance with the standard
19 under s. 121.02 (1) (i). The plan shall specify the time within which compliance with
20 the standard under s. 121.02 (1) (i) shall be achieved. The state superintendent shall
21 hold a public hearing on the plan in the school district and may, as a result of the
22 hearing, recommend changes to the plan. The state superintendent may withhold
23 up to 25% of the school district's state aid if the school district fails to achieve
24 compliance with the standard under s. 121.02 (1) (i) within the period specified in the
25 plan.

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1 *~~-1213/1.24~~* SECTION 2451. 115.361 of the statutes is repealed.

2 *~~-0046/3.3~~* SECTION 2453. 115.39 of the statutes is repealed.

3 *~~-1061/P1.2~~* SECTION 2454. 115.405 (2m) of the statutes is repealed.

4 *~~-1213/1.27~~* SECTION 2457. 115.45 of the statutes is repealed.

5 *~~-0046/3.4~~* SECTION 2458. 115.53 (3) (a) and (b) of the statutes are
6 consolidated, renumbered 115.53 (3) and amended to read:

7 115.53 (3) Arrange for otological or ophthalmic examination of any pupil or
8 prospective pupil of the school operated by the Wisconsin Educational Services
9 Program for the Deaf and Hard of Hearing. ~~The examination shall be paid for from~~
10 ~~the appropriation in s. 20.255 (1) (b), (gh) or (gs).~~ (b) ~~Arrange for ophthalmic or~~
11 ~~otological examination of any pupil or prospective pupil of or~~ the school operated by
12 the Wisconsin Center for the Blind and Visually Impaired. The examination shall
13 be paid for from the appropriation in under s. 20.255 (1) (b), (g~~h~~), (gL), or (gs).

14 *~~-0046/3.5~~* SECTION 2459. 115.53 (4) (unnumbered first par.) and (a) of the
15 statutes are consolidated, renumbered 115.53 (4) and amended to read:

16 115.53 (4) Apply to the board of directors of the University of Wisconsin
17 Hospitals and Clinics Authority for admission to the University of Wisconsin
18 Hospitals and Clinics of any pupil at the school operated by the Wisconsin
19 Educational Services Program for the Deaf and Hard of Hearing or the school
20 operated by the Wisconsin Center for the Blind and Visually Impaired. (a) The
21 application shall be accompanied by the report of a physician appointed by the
22 director of the Wisconsin Educational Services Program for the Deaf and Hard of
23 Hearing or the director of the Wisconsin Center for the Blind and Visually Impaired
24 and shall be in the same form as reports of other physicians for admission of patients
25 to such hospital.