



PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
ASSEMBLY AMENDMENT ,
TO ASSEMBLY AMENDMENT 1,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2011 ASSEMBLY BILL 40

Page 1, line 20 delete the material beginning with that line and ending with page 22, line 11, and substitute 0

1 At the locations indicated, amend the amendment as follows:

2 *1.* Page 16, line 18: delete "xq" and substitute "gb".
m

3 *2.* Page 21, line 3: delete lines 3 to 21.
m

4 *3.* Page 30, line 6: delete lines 6 to 15.
m

5 *4.* Page 31, line 14: delete lines 14 to 18.
m

6 *5.* Page 34, line 18: delete lines 18 to 25.
m

7 *6.* Page 56, line 17: after that line insert:
m

8 "(4) If a state agency is undergoing an upgrade of its computer operations, the
9 state agency may request an exemption from subs. (2) and (3) during the period

1 before the completion of the upgrade by submitting a written request to the joint
 2 committee on finance. If the cochairpersons of the committee do not notify the state
 3 agency within 14 working days after the date of the agency's submittal that the
 4 committee intends to schedule a meeting to review the request, approval of the
 5 request is granted. If, within 14 working days after the date of the state agency's
 6 request submittal, the cochairpersons of the committee notify the agency that the
 7 committee intends to schedule a meeting to review the request, the request may be
 8 granted only as approved by the committee."

9 ^{7/}_m Page 59, line 6: delete that line and substitute "estimates for the
 10 appropriations under s. 20.285 (1) (im) and (n) nor".

11 ^{8/}_m Page 60, line 4: after that line insert:

12 "SECTION 218hm. 16.50 (5m) of the statutes is repealed."

13 ^{9/}_m Page 63, line 9: delete lines 9 to 12 and substitute:

14 "SECTION 235m. 16.705 (1r) (d) of the statutes is amended to read:

15 16.705 (1r) (d) Contractual services purchased by the Board of Regents of the
 16 University of Wisconsin System with moneys appropriated under s. 20.285 (1) (j),
 17 (ja), (jm), (ge), (u), or (w) or (5) (j)."

18 ^{10/}_m Page 63, line 15: delete "(u), (w), or (xr)" and substitute "(ge), (u), or (w)".

19 ^{11/}_m Page 63, line 15: after that line insert:

20 "SECTION 237g. 16.705 (2) of the statutes is amended to read:

21 16.705 (2) The department shall promulgate rules for the procurement of
 22 contractual services by the department and its designated agents, including but not
 23 limited to rules prescribing approval and monitoring processes for contractual
 24 service contracts, a requirement for agencies, except for the University of Wisconsin

1 System, to conduct a uniform cost-benefit analysis of each proposed contractual
2 service procurement involving an estimated expenditure of more than \$25,000 in
3 accordance with standards prescribed in the rules, and a requirement for agencies
4 to review periodically, and before any renewal, the continued appropriateness of
5 contracting under each contractual services agreement involving an estimated
6 expenditure of more than \$25,000. Each officer requesting approval to engage any
7 person to perform contractual services shall submit to the department written
8 justification for such contracting which shall include a description of the contractual
9 services to be procured, justification of need, justification for not contracting with
10 other agencies, a specific description of the scope of contractual services to be
11 performed, and justification for the procurement process if a process other than
12 competitive bidding is to be used. The department may not approve any contract for
13 contractual services unless it is satisfied that the justification for contracting
14 conforms to the requirements of this section and ss. 16.71 to 16.77.

15 **SECTION 238g.** 16.705 (3) (intro.) of the statutes is amended to read:

16 16.705 (3) (intro.) The director of the office of state employment relations, prior
17 to award, under conditions established by rule of the department, shall review
18 contracts for contractual services in order to ensure that all agencies except for the
19 University of Wisconsin System:

20 **SECTION 239g.** 16.705 (8) (intro.) of the statutes is amended to read:

21 16.705 (8) (intro.) The department shall, annually on or before October 15,
22 submit to the governor, the joint committee on finance, the joint legislative audit
23 committee and the chief clerk of each house of the legislature for distribution to the
24 appropriate standing committees under s. 13.172 (3), a report concerning the
25 number, value and nature of contractual service procurements authorized for each

1 agency, except the University of Wisconsin System, during the preceding fiscal year.
2 The report shall also include, with respect to contractual service procurements by
3 agencies, except the University of Wisconsin System, for the preceding fiscal year.”.

4 **12.** Page 66, line 2: after that line insert:

5 **“SECTION 245g.** 16.75 (1) (b) of the statutes is renumbered 16.75 (1) (b) 1. and
6 amended to read:

7 16.75 (1) (b) 1. ~~When~~ Except as provided in subd. 2., when the estimated cost
8 exceeds \$25,000, the department shall invite bids to be submitted. The

9 3. If subd. 1. or 2. requires bids to be solicited, the department shall either shall
10 solicit sealed bids to be opened publicly at a specified date and time, or shall solicit
11 bidding by auction to be conducted electronically at a specified date and time.
12 Whenever bids are invited, due notice inviting bids shall be published as a class 2
13 notice, under ch. 985 or posted on the Internet at a site determined or approved by
14 the department. The bid opening or auction shall occur at least 7 days after the date
15 of the last insertion of the notice or at least 7 days after the date of posting on the
16 Internet. The notice shall specify whether sealed bids are invited or bids will be
17 accepted by auction, and shall give a clear description of the materials, supplies,
18 equipment, or contractual services to be purchased, the amount of any bond, share
19 draft, check, or other draft to be submitted as surety with the bid or prior to the
20 auction, and the date and time that the public opening or the auction will be held.

21 **SECTION 246g.** 16.75 (1) (b) 2. of the statutes is created to read:

22 16.75 (1) (b) 2. If the Board of Regents of the University of Wisconsin System
23 or the University of Wisconsin-Madison is making the purchase, bids are not
24 required if the estimated cost does not exceed \$50,000.

1 **SECTION 247g.** 16.75 (2m) (b) of the statutes is renumbered 16.75 (2m) (b) 1.
2 and amended to read:

3 16.75 (2m) (b) 1. ~~When~~ Except as provided in subd. 2., when the estimated cost
4 exceeds \$25,000, the department may invite competitive sealed proposals by
5 publishing.

6 3. If competitive sealed proposals are invited, the department shall publish a
7 class 2 notice under ch. 985 or ~~by posting~~ post notice on the Internet at a site
8 determined or approved by the department. The notice shall describe the materials,
9 supplies, equipment, or contractual services to be purchased, the intent to make the
10 procurement by solicitation of proposals rather than by solicitation of bids, any
11 requirement for surety and the date the proposals will be opened, which shall be at
12 least 7 days after the date of the last insertion of the notice or at least 7 days after
13 the date of posting on the Internet.

14 **SECTION 248g.** 16.75 (2m) (b) 2. of the statutes is created to read:

15 16.75 (2m) (b) 2. If the Board of Regents of the University of Wisconsin System
16 or the University of Wisconsin-Madison is making the purchase, competitive sealed
17 proposals are not required if the estimated cost does not exceed \$50,000.”.

18 ~~13.~~ ^m Page 74, line 19: delete “or the University of Wisconsin-Madison”.

19 ~~14.~~ ^m Page 80, line 16: after that line insert:

20 “**SECTION 335m.** 16.974 (4) of the statutes is created to read:”.

21 16.974 (4) Provide services authorized under sub. (3) to hospitals, as defined
22 in s. 50.33 (2). Subsection (1) applies to the services provided under this subsection.”.

23 ~~15.~~ ^m Page 81, line 9: delete lines 9 to 11.

24 ~~16.~~ ^m Page 83, line 25: after that line insert:

1 “SECTION 356g. 19.44 (1) (f) of the statutes is amended to read:

2 19.44 (1) (f) If the individual who is required to file or a member of his or her
3 immediate family received \$1,000 \$10,000 or more of his or her income for the
4 preceding taxable year from a partnership, limited liability company, corporation
5 electing to be taxed as a partnership under subchapter S of the internal revenue code
6 or service corporation under ss. 180.1901 to 180.1921 in which the individual or a
7 member of his or her immediate family, severally or in the aggregate, has a 10% or
8 greater interest, the identity of each payer from which the organization received
9 \$1,000 \$10,000 or more of its income for its preceding taxable year, except that if the
10 individual who is required to file identifies the general nature of the business in
11 which he or she or his or her immediate family is engaged then no identification need
12 be made of a decedent's estate or an individual, not acting as a representative of an
13 organization, unless the individual is a lobbyist as defined in s. 13.62. In addition,
14 no identification need be made of payers from which dividends or interest are
15 received.”.

16 ~~17.~~^m Page 88, line 4: after that line insert:

17 “SECTION 371^m. 20.003 (4m) of the statutes is amended to read:

18 20.003 (4m) REQUIRED GENERAL FUND STRUCTURAL BALANCE. No bill may be
19 adopted by the legislature if the bill would cause in ~~any fiscal year~~ the 2nd year of
20 any fiscal biennium the amount of moneys designated as “Total Expenditures” in the
21 summary under s. 20.005 (1) for that fiscal year, less any amounts transferred to the
22 budget stabilization fund in that fiscal year, to exceed the sum of the amount of
23 moneys designated as “Taxes” and “Departmental Revenues” in the summary under
24 s. 20.005 (1) for that fiscal year.”.

1 **18.** Page 88, line 7: after that line, in the general fund summary, on the line
 2 for taxes, for 2012-13, delete “3,829,193,000” and substitute “13,829,193,000”.

3 **19.** Page 123, line 13: delete that line.

4 **20.** Page 123, line 14: delete “and”.

5 **21.** Page 130, line 7: delete “, Racine, and Green Bay” and substitute “Parental
 6 Choice Program”.

7 **22.** Page 130, line 8: delete “parental” and substitute “and”.

8 **23.** Page 130, line 8: after “programs” insert “in other eligible school districts”.

9 **24.** Page 131, line 9: after that line insert:

10 “(bc) Aid for children-at-risk pro-

11 grams GPR A -0- -0-”.

12 **25.** Page 131, line 14: after that line insert:

13 “(cf) Alternative education grants GPR A -0- -0-”.

14 **26.** Page 132, line 17: delete that line.

15 **27.** Page 132, line 18: delete “Racine parental choice program” and substitute
 16 “Parental choice program for eligible school districts”.

17 **28.** Page 132, line 20: delete “, Racine, and Green Bay” and substitute
 18 “Parental Choice Program”.

19 **29.** Page 132, line 21: after “programs” insert “in other eligible school
 20 districts”.

21 **30.** Page 132, line 21: delete “parental” and substitute “and”.

22 **31.** Page 135, line 7: after that line insert:

300

1 “(gb) General program operation PR C -0- -0-

2 (ge) Gifts and nonfederal grants and

3 contracts PR C -0- -0-

4 (gj) Self-amortizing facilities princi-

5 pal and interest PR C -0- -0-”.

6 ~~30d~~ ^{30d}. Page 135, line 11: after that line insert:

7 “(k) Funds transferred from other

8 state agencies PR-S C -0- -0-”.

9 ~~30e~~ ^{30e}. Page 135, line 13: after that line insert:

10 “(Li) General fund interest PR C -0- -0-”.

11 ~~30f~~ ^{30f}. Page 135, line 15: delete that line.

12 ~~30g~~ ^{30g}. Page 136, line 1: delete lines 1 and 2.

13 ~~30h~~ ^{30h}. Page 136, line 20: delete the material beginning with that line and ending

14 with page 137, line 2.

15 ~~30i~~ ³⁰ⁱ. Page 137, line 2: after that line insert:

16 “(w) Trust fund operations SEG C -0- -0-”.

17 ~~30j~~ ^{30j}. Page 137, line 5: delete lines 5 and 6.

18 ~~30k~~ ^{30k}. Page 144, line 7: after “foresters” insert “and private contractors”.

19 ~~30l~~ ^{30l}. Page 175, line 11: decrease the dollar amount for fiscal year 2011-12 by

20 \$2,000,000 and decrease the dollar amount for fiscal year 2012-13 by \$8,000,000 to

21 decrease funding for the purposes for which the appropriation is made.

1 ~~44~~^{30m}. Page 180, line 8: decrease the dollar amount for fiscal year 2011-12 by
 2 \$5,000,000 and decrease the dollar amount for fiscal year 2012-13 by \$5,000,000 to
 3 decrease funding for the purposes for which the appropriation is made.

4 ~~44~~³⁰ⁿ. Page 183, line 19: increase the dollar amount for fiscal year 2011-12 by
 5 \$7,000,000 and increase the dollar amount for fiscal year 2012-13 by \$28,000,000 to
 6 increase funding for the purposes for which the appropriation is made.

7 ~~44~~^{30o ← letter "o"}. Page 184, line 22: decrease the dollar amount for fiscal year 2012-13 by
 8 \$15,000,000 to decrease funding for the purposes for which the appropriation is
 9 made.

10 ~~44~~^{30p}. Page 203, line 18: delete the material beginning with "maintenance;" and
 11 ending with "program" on line 19 and substitute "maintenance".

12 ~~45~~^{30q}. Page 204, line 3: delete that line.

13 ~~46~~^{30r}. Page 204, line 14: delete "A" and substitute "C".

14 ~~47~~^{30s}. Page 206, line 17: delete lines 17 and 18.

15 ~~48~~^{30t}. Page 218, line 17: delete that line.

16 ~~49~~^{30u}. Page 219, line 1: delete lines 1 and 2.

17 ~~50~~^{30v}. Page 222, line 9: delete lines 9 and 10.

18 ~~51~~^{30w}. Page 239, line 11: delete that line.

19 ~~52~~^{30x}. Page 244, line 18: after that line insert:

20 "(id) Justice information fee receipts PR C -0- -0-".

21 ~~53~~^{30y}. Page 245, line 1: delete lines 1 to 3.

22 ~~54~~. Page 245, line 15: delete lines 15 and 16.

30z

31b

1 ~~55~~. Page 255, line 6: after that line insert:

2 “(c) Payments to designated agents GPR A -0- -0-”.

31c

3 ~~56~~. Page 255, line 13: after that line insert:

4 “(k) Sale of materials or services PR-S C -0- -0-”.

31d

5 ~~57~~. Page 294, line 9: delete lines 9 to 11.

31e

6 ~~58~~. Page 295, line 3: delete that line.

31f

7 ~~59~~. Page 295, line 19: before that line insert:

8 “(km) Aquaculture demonstration facil-
9 ity; principal repayment and
10 interest PR-S A 263,400 264,700”.

31g

11 ~~60~~. Page 314, line 11: delete “Racine, and Green Bay”.

31h

12 ~~61~~. Page 314, line 11: delete “Program” and substitute “Program and choice
13 programs in other eligible school districts”.

31i

14 ~~62~~. Page 314, line 12: delete “programs”.

31j

15 ~~63~~. Page 314, line 12: delete “118.62”.

31k

16 ~~64~~. Page 314, line 13: delete “(2) (a) 3.”.

31l

17 ~~65~~. Page 314, line 15: delete “, under” and substitute “and under”.

31m

18 ~~66~~. Page 314, line 16: delete “Racine Parental Choice Program” and substitute
19 “choice program under s. 118.60”.

31n

20 ~~67~~. Page 314, line 16: delete the material beginning with “, and under” and
21 ending with “Program” on line 18.

22 ~~68~~. Page 315, line 18: delete lines 18 to 20.

31o K letter 1/0/11

1 ~~31p~~ Page 315, line 22: delete "*Racine parental choice program*" and substitute
 2 "*Parental choice program for eligible school districts*".

3 ~~31g~~ Page 316, line 1: delete that line and substitute:
 4 "20.255 (2) (fv) Milwaukee Parental Choice Program and choice programs in
 5 other eligible school districts".

6 ~~31r~~ Page 316, line 2: delete "programs".

7 ~~31s~~ Page 316, line 3: delete ", 118.62 (4r),".

8 ~~31t~~ Page 317, line 21: delete "(xs)" and substitute "(gj)".

9 ~~31u~~ Page 318, line 10: after that line insert:

10 "**SECTION 550gb.** 20.285 (1) (gb) of the statutes is created to read:

11 20.285 (1) (gb) *General program operations.* All moneys received from the
 12 operation of educational programs and related programs to carry out the purposes
 13 for which received, including the transfer of funds to par. (gj). In each fiscal year, the
 14 Board of Regents shall transfer no more than \$20,338,500 from this appropriation
 15 account to the medical assistance trust fund.

16 **SECTION 550gd.** 20.285 (1) (ge) of the statutes is created to read:

17 20.285 (1) (ge) *Gifts and nonfederal grants and contracts.* All moneys received
 18 as gifts, bequests, or devises or nonfederal grants or contracts to carry out the
 19 purposes for which received.

20 **SECTION 550gk.** 20.285 (1) (gj) of the statutes is created to read:

21 20.285 (1) (gj) *Self-amortizing facilities principal and interest.* From revenues
 22 credited under par (gb), a sum sufficient to reimburse s. 20.866 (1) (u) for any
 23 amounts advanced to meet principal and interest costs on self-amortizing university
 24 facilities and to make payments under an agreement or ancillary arrangement

1 entered into under s. 18.06 (8) (a). For projects authorized by the building
2 commission on or after July 1, 2001, annually an amount equal to 40 percent of the
3 principal and interest costs for maintenance of University of Wisconsin-Madison
4 intercollegiate athletic facilities shall be paid from the appropriation under this
5 paragraph.”

6 ~~77~~. ^{31v} Page 319, line 3: delete that line.

7 ~~77~~. ^{31w} Page 319, line 11: delete that line and substitute:

8 “SECTION 574rm. 20.285 (1) (km) of the statutes is renumbered 20.867 (3)
9 (km).”

10 ~~77~~. ^{31x} Page 319, line 16: after that line insert:

11 “SECTION 576gm. 20.285 (1) (Li) of the statutes is created to read:

12 20.285 (1) (Li) *General fund interest*. All interest earned in the general fund
13 that is attributable to the appropriations under pars. (gb), (ge), (gj), and (k) for the
14 purpose of the appropriation to which it is attributable.”

15 ~~77~~. ^{31y} Page 319, line 18: after that line insert:

16 “SECTION 577d. 20.285 (1) (m) of the statutes is repealed and recreated to read:

17 20.285 (1) (m) *Federal aid*. All federal moneys received to carry out the
18 purposes for which received.

19 SECTION 577e. 20.285 (1) (ma) of the statutes is repealed.

20 SECTION 577g. 20.285 (1) (n) of the statutes is repealed.”

21 ~~77~~. ^{32b} Page 320, line 15: delete the material beginning with that line and ending
22 with page 321, line 13.

23 ~~77~~. ^{32c} Page 321, line 15: after that line insert:

24 “SECTION 580m. 20.285 (2) (i) of the statutes is repealed.”

- 1 ~~81.~~ ^{32d} Page 321, line 18: delete “(xq), and (xr)” and substitute “(gb), and (ge)”.
- 2 ~~82.~~ ^{32e} Page 321, line 22: after that line insert:
- 3 “SECTION 582k. 20.285 (3) (n) of the statutes is repealed.”
- 4 ~~83.~~ ^{32f} Page 324, line 8: after “fiscal year” insert “, to be credited to the
- 5 appropriation account under s. 20.285 (1) (k),”.
- 6 ~~84.~~ ^{32g} Page 325, line 15: after “fiscal year” insert “, to be credited to the
- 7 appropriation account under s. 20.285 (1) (k),”.
- 8 ~~85.~~ ^{32h} Page 337, line 1: delete lines 1 to 5.
- 9 ~~86.~~ ³²ⁱ Page 339, line 7: after that line insert:
- 10 “SECTION 634r. 20.425 (1) (i) of the statutes, as affected by 2011 Wisconsin Act
- 11 10, is repealed and recreated to read:
- 12 20.425 (1) (i) *Fees, collective bargaining training, publications, and appeals.*
- 13 The amounts in the schedule for the performance of fact-finding, mediation,
- 14 certification, and arbitration functions, for the provision of copies of transcripts, for
- 15 the cost of operating training programs under ss. 111.09 (3), 111.71 (5m), and 111.94
- 16 (3), for the preparation of publications, transcripts, reports, and other copied
- 17 material, and for costs related to conducting appeals under s. 230.45. All moneys
- 18 received under ss. 111.09 (1) and (2), 111.70 (4) (d) 3. b., 111.71 (1) and (2), 111.83 (3)
- 19 (b), 111.94 (1) and (2), and 230.45 (3), all moneys received from arbitrators and
- 20 arbitration panel members, and individuals who are interested in serving in such
- 21 positions, and from individuals and organizations who participate in other collective
- 22 bargaining training programs conducted by the commission, and all moneys received
- 23 from the sale of publications, transcripts, reports, and other copied material shall be
- 24 credited to this appropriation account.”.

1 ^{32j} 81. Page 362, line 18: delete the material beginning with that line and ending
2 with page 363, line 2, and substitute:

3 "SECTION 738pm. 20.505 (8) (hm) 1c. of the statutes is amended to read:

4 20.505 (8) (hm) 1c. The amount transferred to s. ~~20.285 (1)~~ 20.867 (3) (km) shall
5 be the amount in the schedule under s. ~~20.285 (1)~~ 20.867 (3) (km).".

6 ^{32k} 86. Page 376, line 14: delete "(xs)" and substitute "(gi)".

7 ^{33m} 89. Page 385, line 10: decrease the underscored dollar amount by \$2,000,000
8 to reduce bonding for the purpose for which the appropriation is made.

9 ^{34m} 90. Page 388, line 3: delete lines 3 to 11.

10 ^{35m} 94. Page 388, line 17: delete "(im), (je), (jq), (kd), (km), and (ko), and (xs)," and
11 substitute "(im), (gi) and (je), (jq), (kd), (km), and (ko),".

12 ^{36m} 92. Page 388, line 21: delete "(im), (je), (jq), (kd), (km), or (ko), and (xs)," and
13 substitute "(im), (gi) and (je), (jq), (kd), (km), or (ko),".

14 ^{37m} 93. Page 389, line 10: delete "(xs)" and substitute "(gi)".

15 ⁴¹ 94. Page 391, line 5: delete lines 5 and 6.

16 ^{41b} 95. Page 419, line 16: delete "(xq)" and substitute "(gb)".

17 ^{41c} 96. Page 420, line 25: delete the material beginning with that line and ending
18 with page 421, line 13.

19 ^{41d} 97. Page 427, line 23: delete the material beginning with that line and ending
20 with page 431, line 21.

21 ^{41e} 98. Page 440, line 4: delete lines 4 to 24.

22 ^{41f} 99. Page 441, line 1: delete lines 1 to 24

Handwritten notes:
→ # Page 22, line 13; delete the material beginning with that line and ending with page 23, line 40
Page 23, line 10; delete SECTION and substitute
Page 23, line 9; delete the material beginning with that line and ending with page 26, line 22 and substitute

41g

1 ~~100~~. Page 442, line 1: delete lines 1 and 2.

41h

2 ~~101~~. Page 445, line 25: delete "directly or indirectly".

41i

3 ~~102~~. Page 455, line 24: delete "renumbered 3.27" and substitute "renumbered
4 36.27".

41j

5 ~~103~~. Page 456, line 3: delete "course." and substitute "course, including the
6 University of Wisconsin-Madison Executive MBA Program."

41k

7 ~~104~~. Page 457, line 24: delete "course." and substitute "course, including the
8 University of Wisconsin-Madison Executive MBA Program."

41l

9 ~~105~~. Page 459, line 24: delete lines 24 and 25 and substitute "board shall
10 credit the net proceeds of the sale to the appropriation account under s. 20.285 (1)
11 (iz) (gb) except that if".

41m

12 ~~106~~. Page 462, line 6: delete lines 6 and 7 and substitute:

13 "36.54 (2) (b) From the appropriations under s. 20.285 (1) (j), (ge), (r), and (rc)
14 the environmental education board shall award grants to corporations and".

41n

15 ~~107~~. Page 462, line 19: delete that line and substitute "under s. 20.285 (1) (j),
16 (ge), (r), and (rc) in any fiscal year is insufficient to fund".

41o letter "e"

17 ~~108~~. Page 462, line 24: delete "'telecommunications" and substitute:

18 "(a) "Telecommunications".

41p

19 ~~109~~. Page 462, line 24: delete "section," and substitute "section:".

41q

20 ~~110~~. Page 463, line 2: after that line insert:

21 "(b) "Third-party entity" means a company, corporation, nonprofit association,
22 joint venture, cooperative, partnership, or consortium."

1 ~~101~~⁴¹⁴. Page 463, line 3: delete "The" and substitute "(a) Except as provided in
2 par. (b), beginning July 1, 2013, the".

3 ~~102~~⁴¹⁵. Page 463, line 5: delete "business organization" and substitute
4 "third-party entity".

5 ~~103~~⁴¹⁶. Page 463, line 7: delete that line and substitute "unless at least one of
6 the following applies:".

7 ~~104~~⁴²⁰. Page 463, line 7: after that line insert:

8 "1. The third-party entity or other person does not offer, resell, or provide
9 telecommunications services that it did not offer, resell, or provide on June 15, 2011,
10 and the third-party entity or other person does not offer, resell, or provide
11 telecommunications services to a private entity, to the general public, or to a public
12 entity other than a university or a university-affiliated research facility or a facility
13 approved by the joint committee on finance under sub. (4), that the third-party entity
14 was not serving on June 15, 2011.

15 2. The third-party entity or other person is comprised entirely of universities
16 and university-affiliated research facilities.

17 (b) The joint committee on finance may by majority vote postpone the
18 prohibition under par. (a).".

19 ~~105~~^{42d}. Page 463, line 8: delete lines 8 to 19 and substitute:

20 "(4) Beginning June 15, 2011, the board may not commit, and shall ensure that
21 no institution or college campus or the extension, commits, any funds received from
22 the National Telecommunications and Information Administration in the federal
23 department of commerce related to the Building Community Capacity Through
24 Broadband Project grant awarded to the extension to any facilities to which such

↓ # Page 27, line 3: delete the material beginning with that line and ending with page 28, line 50

1 funds were not committed prior to June 15, 2011, without the approval of the joint
2 committee on finance.”

3 ~~116~~ ^{42e} Page 479, line 17: delete the material beginning with that line and
4 ending with page 480, line 4.

5 ~~117~~ ^{52b} Page 482, line 14: after “employee” insert “or a nonrepresented
6 managerial employee described in s. 111.70 (1) (mm) 2.”

7 ~~118~~ ^{52m} Page 482, line 17: after “personnel” insert “or personnel described in s.
8 111.70 (1) (mm) 2.”

9 ~~119~~ ^{52x} Page 483, line 4: after “employee” insert “or employee described in s.
10 111.70 (1) (mm) 2.”

11 ~~120~~ ^{53b} Page 483, line 7: after “position” insert “or nonrepresented managerial
12 position described in s. 111.70 (1) (mm) 2.”

13 ~~121~~ ^{53d} Page 483, line 11: after “personnel” insert “or personnel described in s.
14 111.70 (1) (mm) 2.”

15 ~~122~~ ^{53g} Page 483, line 13: after that line insert:

16 “SECTION 1145rh. 40.05 (4) (ag) of the statutes, as affected by 2011 Wisconsin
17 Act 10, is repealed and recreated to read:

18 40.05 (4) (ag) Except as otherwise provided in a collective bargaining
19 agreement under subch. V of ch. 111, the employer shall pay for its currently
20 employed insured employees:

- 21 1. For insured part-time employees other than employees specified in s. 40.02
- 22 (25) (b) 2., including those in project positions as defined in s. 230.27 (1), who are

line 50
and ending with page 121 line 6 and subd.
121 line 6 and subd.
121 line 6 and subd.

1 appointed to work less than 1,044 hours per year, an amount determined annually
2 by the director of the office of state employment relations under par. (ah).

3 2. For eligible employees not specified in subd. 1. and s. 40.02 (25) (b) 2., an
4 amount not more than 88 percent of the average premium cost of plans offered in the
5 tier with the lowest employee premium cost under s. 40.51 (6), as determined
6 annually by the director of the office of state employment relations under par. (ah).

7 **SECTION 1145rm.** 40.05 (4) (ah) of the statutes is created to read:

8 40.05 (4) (ah) Annually, the director of the office of state employment relations
9 shall establish the amount that employees are required to pay for health insurance
10 premiums in accordance with the maximum employer payments under par. (ag).

11 **SECTION 1145rs.** 40.05 (4) (ar) of the statutes is repealed.”.

12 ~~143~~⁵³¹. Page 489, line 19: delete the material beginning with that line and
13 ending with page 491, line 2, and substitute:

14 “**SECTION 1156ym.** 40.51 (7) of the statutes, as affected by 2011 Wisconsin Act
15 10, is repealed and recreated to read:

16 40.51 (7) (a) Any employer, other than the state, may offer to all of its employees
17 a health care coverage plan through a program offered by the group insurance board.
18 Notwithstanding sub. (2) and ss. 40.05 (4) and 40.52 (1), the department may by rule
19 establish different eligibility standards or contribution requirements for such
20 employees and employers and may by rule limit the categories of employers, other
21 than the state, which may be included as participating employers under this
22 subchapter. Beginning on January 1, 2012, except as otherwise provided in a
23 collective bargaining agreement under subch. IV of ch. 111 and except as provided
24 in par. (b), an employer may not offer a health care coverage plan to its employees

1 under this subsection if the employer pays more than 88 percent of the average
2 premium cost of plans offered in any tier with the lowest employee premium cost
3 under this subsection.

4 (b) 1. A municipal employer shall pay, on behalf of a nonrepresented law
5 enforcement or fire fighting managerial employee, ^{or a nonrepresented managerial} who was initially employed by the
6 municipal employer before the effective date of this subdivision [LRB inserts
7 date], the same percentage under par. (a) that is paid by the municipal employer for
8 represented law enforcement or fire fighting personnel ^{or personnel described in s. 111.70 (1) (mm) 2.} who were initially employed
9 by the municipal employer before the effective date of this subdivision [LRB
10 inserts date].

11 2. A municipal employer shall pay, on behalf of a represented law enforcement
12 or fire fighting employee, who was initially employed by the municipal employer
13 before the effective date of this subdivision [LRB inserts date], and who on or after
14 the effective date of this subdivision [LRB inserts date], became employed in a
15 nonrepresented law enforcement or fire fighting managerial position with the same
16 municipal employer, or a successor municipal employer in the event of a combined
17 department that is created on or after the effective date of this subdivision [LRB
18 inserts date], the same percentage under par. (a) that is paid by the municipal
19 employer for represented law enforcement or fire fighting personnel who were
20 initially employed by the municipal employer before the effective date of this
21 subdivision [LRB inserts date].”

22 ^{124. 53m} Page 490, line 10: after “employee” insert “or a nonrepresented
23 managerial employee described n s. 111.70 (1) (mm) 2.”

employee described in s. 111.70 (1) (mm) 2.

9

53n
125. Page 490, line 13: after "personnel" insert "or personnel described in s. 111.70 (1) (mm) 2."

53p
126. Page 567, line 4: after "statutes" insert ", as affected by 2011 Wisconsin Act 13,".

53g
127. Page 567, line 8: delete that line and substitute "year 2009-10 and \$43,664,200 in each fiscal year 2010-11."

53x
128. Page 624, line 11: delete "... [LRB INSERTS DATE]" and substitute "[LRB INSERTS DATE]".

54b
129. Page 634, line 25: delete the material beginning with that line and ending with page 635, line 13.

54d
130. Page 638, line 4: after that line insert:
"SECTION 1675n. 59.52 (30) of the statutes is created to read:

59.52 (30) LIMITATION ON PERFORMANCE OF HIGHWAY WORK. Notwithstanding ss. 66.0131, 66.0301, and 83.035, a county may not use its own workforce to perform a highway improvement project on a highway under the jurisdiction of another county or a municipality that is located in a different county unless one of the following applies:

(a) A portion of the project lies within the county performing the work and no portion of the project extends beyond an adjoining county.

(b) The project lies, wholly or in part, within a municipality that lies partially within the county performing the work."

54f
131. Page 644, line 6: after that line insert:
"SECTION 1696m. 61.54 of the statutes is amended to read:

1 **61.54 Public works.** All contracts for public construction shall be let by a
 2 village board in accordance with s. 62.15. The village board, or a person or body
 3 designated by the village board, shall exercise the powers and duties of the board of
 4 public works under s. 62.15. Section 62.15 applies to a village in the same manner
 5 as to a city."

6 ~~172~~ ^{54h}. Page 651, line 14: after that line insert:

7 “**SECTION 1713m.** 62.15 (1d) of the statutes is created to read:

8 62.15 (1d) LIMITATION ON HIGHWAY WORK PERFORMED BY A COUNTY.

9 Notwithstanding ss. 66.0131, 66.0301, and 83.035, a city having a population of
 10 5,000 or more may not have a highway improvement project performed by a county
 11 workforce except as provided under s. 86.31 (2) (b).”.

12 ~~173~~ ^{54j}. Page 658, line 5: delete lines 5 to 13 and substitute:

13 “66.0304 (11) (a) A commission may not ~~authorize~~ issue bonds to finance a
 14 capital improvement project in any state or territory of the United States unless a
 15 political subdivision within whose boundaries the project is to be located has
 16 approved the financing of the project. A commission may not ~~authorize~~ issue bonds
 17 to finance a capital improvement project in this state unless all of the political
 18 subdivisions within whose boundaries the project is to be located has approved the
 19 financing of the project. An approval under this paragraph may be made by the
 20 governing body of the political subdivision or, except for a 1st class city or a county
 21 in which a 1st class city is located, by the highest ranking executive or administrator
 22 of the political subdivision.

23 **SECTION 1720pm.** 66.0304 (11) (c) of the statutes is amended to read:

1 66.0304 (11) (c) Any action brought to challenge the validity of the proposed
2 issuance of a bond under this section, or the enforceability of a contract entered into
3 under this section, must be commenced in circuit court within 30 days of the
4 commission adopting a resolution authorizing the issuance of the bond or the
5 execution of the contract.”

6 ~~13A~~^{34K}. Page 658, line 17: after that line insert:

7 “SECTION 1721g. 66.0506 of the statutes, as created by 2011 Wisconsin Act 10,
8 is repealed and recreated to read:

9 **66.0506 Referendum; increase in employee wages.** (1) In this section,
10 “local governmental unit” means any city, village, town, county, metropolitan
11 sewerage district, long-term care district, transit authority under s. 59.58 (7) or
12 66.1039, local cultural arts district under subch. V of ch. 229, or any other political
13 subdivision of the state, or instrumentality of one or more political subdivisions of
14 the state.

15 (2) If any local governmental unit wishes to increase the total base wages of
16 its general municipal employees, as defined in s. 111.70 (1) (fm), who are part of a
17 collective bargaining unit under subch. IV of ch. 111, in an amount that exceeds the
18 limit under s. 111.70 (4) (mb) 2., the governing body of the local governmental unit
19 shall adopt a resolution to that effect. The resolution shall specify the amount by
20 which the proposed total base wages increase will exceed the limit under s. 111.70
21 (4) (mb) 2. The resolution may not take effect unless it is approved in a referendum
22 called for that purpose. The referendum shall occur in November for collective
23 bargaining agreements that begin the following January 1. The results of a

1 referendum apply to the total base wages only in the next collective bargaining
2 agreement.

3 (3) The referendum question shall be substantially as follows: "Shall the
4 [general municipal employees] in the [local governmental unit] receive a total
5 increase in wages from \$....[current total base wages] to \$....[proposed total base
6 wages], which is a percentage wage increase that is [x] percent higher than the
7 percent of the consumer price index increase, for a total percentage increase in wages
8 of [x]?"

9 ~~135~~ ^{34m}. Page 661, line 24: after that line insert:

10 "SECTION 1725e. 66.0604 of the statutes is created to read:

11 **66.0604 Payment of employer contributions in retirement systems. (1)**

12 In this section, "local governmental unit" has the meaning given in s. 66.0131 (1) (a).

13 (2) Annually, no later than December 31, each local governmental unit shall
14 pay employer contributions into the retirement system in which its employees are
15 participating employees an amount that is at least equal to all employee required
16 contributions under that retirement system."

17 ~~136~~ ^{54p}. Page 662, line 18: delete the material beginning with that line and
18 ending with page 664, line 17.

19 ~~137~~ ^{54r}. Page 668, line 18: delete "regularly" and substitute "regularly".

20 ~~138~~ ^{54t}. Page 731, line 13: delete "and payment".

21 ~~139~~ ^{54v}. Page 731, line 19: substitute "credited to the" for "~~credited to the~~".

22 ~~140~~ ^{54x}. Page 731, line 20: delete that line and substitute "appropriation account
23 under s. 20.285 (1) (~~gm~~) (k)".

24 ~~141~~. Page 731, line 21: delete "System".

^{55b}

1 ~~142~~ ^{53d} Page 731, line 24: delete "and payment".

2 ~~143~~ ^{53f} Page 732, line 6: delete that line and substitute "(1) (gn) an amount equal
3 to 50 percent shall be".

4 ~~144~~ ^{53h} Page 732, line 7: delete "System," and substitute "; credited to the
5 appropriation account under s. 20.285 (1) (k)".

6 ~~145~~ ^{53k} Page 894, line 17: delete the material beginning with that line and
7 ending with page 895, line 4.

8 ~~146~~ ^{53p} Page 902, line 3: delete the material beginning with that line and ending
9 with page 908, line 3.

10 ~~147~~ ^{53s} Page 909, line 19: delete "568.9810" and substitute "560.9810".

11 ~~148~~ ^{53v} Page 918, line 15: delete "568.9810" and substitute "560.9810".

12 ~~149~~ ^{53x} Page 919, line 1: delete "department of commerce Wisconsin" and
13 substitute "department of commerce administration".

14 ~~150~~ ^{56b} Page 919, line 2: delete that line.

15 ~~151~~ ^{56d} Page 926, line 5: delete "\$102,615,600" and substitute "\$94,615,600".

16 ~~152~~ ^{56g} Page 926, line 25: delete the material beginning with that line and
17 ending with page 928, line 3, and substitute:

18 "SECTION 2278em. 86.31 (2) (b) of the statutes is amended to read:

19 86.31 (2) (b) Except as provided in par. (d), improvements for highway
20 construction projects funded under the program shall be under contracts. Such
21 contracts shall be awarded on the basis of competitive bids and shall be awarded to
22 the lowest responsible bidder. If a city or village does not receive a responsible bid
23 for an improvement, the city or village may contract with a county for the

1 improvement. ~~A~~ Subject to s. 59.52 (30), a town may contract with a county for the
2 improvement subject to the criteria and procedures promulgated as rules under sub.
3 (6) (h).”.

4 ~~153~~ ⁵⁶ⁱ 153. Page 928, line 10: delete lines 10 to 18.

5 ~~154~~ ^{56k} 154. Page 929, line 3: delete that line and substitute:

6 “SECTION 2278o. 86.31 (6) (h) (intro.) of the statutes is amended to read:

7 86.31 (6) (h) Criteria Subject to s. 59.52 (30), criteria and procedures for
8 contracting with a county for a town road improvement that includes at least all of
9 the following:”.

10 ~~155~~ ^{56l} 155. Page 933, line 16: delete “credit pay” and substitute “credit”.

11 ~~156~~ ⁵⁶ⁿ 156. Page 933, line 17: delete lines 17 and 18 and substitute “(a) 3. to the
12 appropriation account under s. 20.285 (1) ~~(hm)~~ (k) for the University of
13 Wisconsin-Extension”.

14 ~~157~~ ^{56p} 157. Page 934, line 6: delete lines 6 to 10.

15 ~~158~~ ^{56r} 158. Page 951, line 6: delete “par.” and substitute “sub.”.

16 ~~159~~ ^{56t} 159. Page 958, line 16: delete “regularly” and substitute “regularly”.

17 ~~160~~ ^{56u} 160. Page 962, line 1: delete “regularly” and substitute “regularly”.

18 ~~161~~ ^{56v} 161. Page 970, line 14: delete lines 14 to 22.

19 ~~162~~ ^{56w} 162. Page 971, line 4: delete lines 4 to 14 and substitute:

20 “SECTION 2403t. 108.04 (8) (b) of the statutes is created to read:

21 108.04 (8) (b) 1. An employee’s failure to accept an offer of work under par. (a)
22 includes:

1 a. The employee's refusal without good cause to take a test for illegal drugs
2 given on behalf of the employer as a condition of employment; or

3 b. The employer's withdrawal of or failure to extend an offer of work due to a
4 positive test result.

5 2. For purposes of this paragraph, a drug test shall not be found to be positive
6 for illegal drugs unless the test was conducted and certified in a manner approved
7 by the department.

8 3. This paragraph applies only to the extent permitted by federal law.

9 **SECTION 2403u.** 108.04 (13) (cm) of the statutes is created to read:

10 108.04 (13) (cm) An employer shall report to the department an employee's
11 positive drug test or refusal to take such a test under sub. (8) (b), as the department
12 requires or approves.”

13 ~~103.~~ ⁵⁶⁴ Page 971, line 14: after that line insert:

14 **“SECTION 2403x.** 108.09 (4r) of the statutes is created to read:

15 108.09 (4r) DEPARTMENTAL RECORDS RELATING TO DRUG TEST INFORMATION. The
16 department shall retain drug test information obtained under s. 108.04 (13) (cm) for
17 the purpose of determining eligibility for benefits.”

18 ~~104.~~ ⁵⁷⁶ Page 973, line 21: delete the material beginning with that line and
19 ending on page 975, line 8, and substitute:

20 **“SECTION 2405p.** 111.70 (1) (a) of the statutes, as affected by 2011 Wisconsin
21 Act 10, is repealed and recreated to read:

22 111.70 (1) (a) “Collective bargaining” means the performance of the mutual
23 obligation of a municipal employer, through its officers and agents, and the
24 representative of its municipal employees in a collective bargaining unit, to meet and

1 confer at reasonable times, in good faith, with the intention of reaching an
 2 agreement, or to resolve questions arising under such an agreement, with respect to
 3 wages, hours, and conditions of employment for public safety employees or transit
 4 employees and with respect to wages for general municipal employees, and with
 5 respect to a requirement of the municipal employer for a municipal employee to
 6 perform law enforcement and fire fighting services under s. 60.553, 61.66, or 62.13
 7 (2e), except as provided in sub. (4) (mb) and (mc) and s. 40.81 (3) and except that a
 8 municipal employer shall not meet and confer with respect to any proposal to
 9 diminish or abridge the rights guaranteed to any public safety employees under ch.
 10 164. Collective bargaining includes the reduction of any agreement reached to a
 11 written and signed document.

12 **SECTION 2406cg.** 111.70 (1) (f) of the statutes, as affected by 2011 Wisconsin
 13 Act 10, is repealed and recreated to read:

14 111.70 (1) (f) "Fair-share agreement" means an agreement between a
 15 municipal employer and a labor organization that represents public safety
 16 employees or transit employees under which all or any of the public safety employees
 17 or transit employees in the collective bargaining unit are required to pay their
 18 proportionate share of the cost of the collective bargaining process and contract
 19 administration measured by the amount of dues uniformly required of all members.

20 **SECTION 2406cr.** 111.70 (1) (fm) of the statutes, as affected by 2011 Wisconsin
 21 Act 10, is repealed and recreated to read:

22 111.70 (1) (fm) "General municipal employee" means a municipal employee
 23 who is not a public safety employee or a transit employee.

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24 **SECTION 2406fg.** 111.70 (1) (n) of the statutes, as affected by 2011 Wisconsin
 25 Act 10, is repealed and recreated to read:

1 111.70 (1) (n) "Referendum" means a proceeding conducted by the commission
2 in which public safety employees or transit employees in a collective bargaining unit
3 may cast a secret ballot on the question of authorizing a labor organization and the
4 employer to continue a fair-share agreement.

5 **SECTION 2406gh.** 111.70 (1) (p) of the statutes is created to read:

6 111.70 (1) (p) "Transit employee" means a municipal employee who is
7 determined to be a transit employee under sub. (4) (bm).

8 **SECTION 2406hg.** 111.70 (2) of the statutes, as affected by 2011 Wisconsin Act
9 10, is repealed and recreated to read:

10 111.70 (2) RIGHTS OF MUNICIPAL EMPLOYEES. Municipal employees have the right
11 of self-organization, and the right to form, join, or assist labor organizations, to
12 bargain collectively through representatives of their own choosing, and to engage in
13 lawful, concerted activities for the purpose of collective bargaining or other mutual
14 aid or protection. Municipal employees have the right to refrain from any and all
15 such activities. A general municipal employee has the right to refrain from paying
16 dues while remaining a member of a collective bargaining unit. A public safety
17 employee or a transit employee, however, may be required to pay dues in the manner
18 provided in a fair-share agreement; a fair-share agreement covering a public safety
19 employee or a transit employee must contain a provision requiring the municipal
20 employer to deduct the amount of dues as certified by the labor organization from the
21 earnings of the employee affected by the fair-share agreement and to pay the amount
22 deducted to the labor organization. A fair-share agreement covering a public safety
23 employee or transit employee is subject to the right of the municipal employer or a
24 labor organization to petition the commission to conduct a referendum. Such
25 petition must be supported by proof that at least 30% of the employees in the

1 collective bargaining unit desire that the fair-share agreement be terminated. Upon
2 so finding, the commission shall conduct a referendum. If the continuation of the
3 agreement is not supported by at least the majority of the eligible employees, it shall
4 terminate. The commission shall declare any fair-share agreement suspended upon
5 such conditions and for such time as the commission decides whenever it finds that
6 the labor organization involved has refused on the basis of race, color, sexual
7 orientation, creed, or sex to receive as a member any public safety employee or transit
8 employee of the municipal employer in the bargaining unit involved, and such
9 agreement is subject to this duty of the commission. Any of the parties to such
10 agreement or any public safety employee or transit employee covered by the
11 agreement may come before the commission, as provided in s. 111.07, and ask the
12 performance of this duty.

13 **SECTION 2406hr.** 111.70 (3) (a) 3. of the statutes, as affected by 2011 Wisconsin
14 Act 10, is repealed and recreated to read:

15 111.70 (3) (a) 3. To encourage or discourage a membership in any labor
16 organization by discrimination in regard to hiring, tenure, or other terms or
17 conditions of employment; but the prohibition shall not apply to a fair-share
18 agreement that covers public safety employees or transit employees.

19 **SECTION 2406ir.** 111.70 (3) (a) 5. of the statutes, as affected by 2011 Wisconsin
20 Act 10, is repealed and recreated to read:

21 111.70 (3) (a) 5. To violate any collective bargaining agreement previously
22 agreed upon by the parties with respect to wages, hours and conditions of
23 employment affecting public safety employees or transit employees, including an
24 agreement to arbitrate questions arising as to the meaning or application of the
25 terms of a collective bargaining agreement or to accept the terms of such arbitration

1 award, where previously the parties have agreed to accept such award as final and
2 binding upon them or to violate any collective bargaining agreement affecting
3 general municipal employees, that was previously agreed upon by the parties with
4 respect to wages.

5 **SECTION 2406pg.** 111.70 (3) (a) 6. of the statutes, as affected by 2011 Wisconsin
6 Act 10, is repealed and recreated to read:

7 111.70 (3) (a) 6. To deduct labor organization dues from the earnings of a public
8 safety employee or a transit employee, unless the municipal employer has been
9 presented with an individual order therefor, signed by the employee personally, and
10 terminable by at least the end of any year of its life or earlier by the public safety
11 employee or transit employee giving at least 30 days' written notice of such
12 termination to the municipal employer and to the representative organization,
13 except when a fair-share agreement is in effect.

14 **SECTION 2406prm.** 111.70 (3) (a) 7m. of the statutes is created to read:

15 111.70 (3) (a) 7m. To refuse or otherwise fail to implement an arbitration
16 decision lawfully made under sub. (4) (cg).

17 **SECTION 2406rg.** 111.70 (3) (a) 9. of the statutes, as affected by 2011 Wisconsin
18 Act 10, is repealed and recreated to read:

19 111.70 (3) (a) 9. If the collective bargaining unit contains a public safety
20 employee or transit employee, after a collective bargaining agreement expires and
21 before another collective bargaining agreement takes effect, to fail to follow any
22 fair-share agreement in the expired collective bargaining agreement.

23 **SECTION 2406rrm.** 111.70 (3) (b) 6m. of the statutes is created to read:

24 111.70 (3) (b) 6m. To refuse or otherwise fail to implement an arbitration
25 decision lawfully made under sub. (4) (cg).". √