

1 district, in the 4th grade. The school board shall provide a pupil with at least 2  
2 opportunities to ~~pass~~ take the examination administered under this subdivision.

3 **SECTION 2076r.** 118.30 (1m) (am) of the statutes is amended to read:

4 118.30 (1m) (am) 1. Except as provided in sub. (6), administer the 8th grade  
5 examination adopted or approved by the state superintendent under sub. (1) (a) to  
6 all pupils enrolled in the school district, including pupils enrolled in charter schools  
7 located in the school district, in the 8th grade. Beginning on July 1, 2002, if the  
8 school board has not developed and adopted its own 8th grade examination, the  
9 school board shall provide a pupil with at least 2 opportunities to ~~achieve a score on~~  
10 take the examination administered under this subdivision ~~that is sufficient for~~  
11 ~~promotion under sub. (5) (b) 1.~~

12 2. Beginning on July 1, 2002, if the school board has developed or adopted its  
13 own 8th grade examination, administer that examination to all pupils enrolled in the  
14 school district, including pupils enrolled in charter schools located in the school  
15 district, in the 8th grade. The school board shall provide a pupil with at least 2  
16 opportunities to ~~pass~~ take the examination administered under this subdivision.

17 **SECTION 2077.** 118.30 (1m) (b) of the statutes is amended to read:

18 118.30 (1m) (b) Administer the 10th grade examination to all pupils enrolled  
19 in the school district, including pupils enrolled in charter schools located in the school  
20 district, in the 10th grade. ~~This paragraph does not apply after the 2000-01 school~~  
21 ~~year.~~

22 **SECTION 2078n.** 118.30 (1m) (d) of the statutes is amended to read:

23 118.30 (1m) (d) If the school board operates high school grades, beginning in  
24 the 2000-01 ~~2002-03~~ school year administer the high school graduation  
25 examination adopted by the school board under sub. (1g) (b) to all pupils enrolled in

1 the school district, including pupils enrolled in charter schools located in the school  
2 district, in the 11th and 12th grades. The school board shall administer the  
3 examination at least twice each school year. ~~The school board shall determine the~~  
4 ~~high school grades in which the examination will be administered each school year~~  
5 and may administer the examination only to pupils enrolled in the 11th and 12th  
6 grades.

7 **SECTION 2080.** 118.30 (1r) of the statutes is created to read:

8 118.30 (1r) Annually each operator of a charter school under s. 118.40 (2r) shall  
9 do all of the following:

10 (a) 1. Except as provided in sub. (6), administer the 4th grade examination  
11 adopted or approved by the state superintendent under sub. (1) (a) to all pupils  
12 enrolled in the charter school in the 4th grade. Beginning on July 1, 2002, if the  
13 operator of the charter school has not developed or adopted its own 4th grade  
14 examination, the operator of the charter school shall provide a pupil with at least 2  
15 opportunities to take the examination administered under this subdivision.

16 2. Beginning on July 1, 2002, if the operator of the charter school has developed  
17 or adopted its own 4th grade examination, administer that examination to all pupils  
18 enrolled in the charter school in the 4th grade. The operator of the charter school  
19 shall provide a pupil with at least 2 opportunities to take the examination  
20 administered under this subdivision.

21 (am) 1. Except as provided in sub. (6), administer the 8th grade examination  
22 adopted or approved by the state superintendent under sub. (1) (a) to all pupils  
23 enrolled in the charter school in the 8th grade. Beginning on July 1, 2002, if the  
24 operator of the charter school has not developed and adopted its own 8th grade

1 examination, the operator of the charter school shall provide a pupil with at least 2  
2 opportunities to take the examination administered under this subdivision.

3 2. Beginning on July 1, 2002, if the operator of the charter school has developed  
4 or adopted its own 8th grade examination, administer that examination to all pupils  
5 enrolled in the charter school in the 8th grade. The operator of the charter school  
6 shall provide a pupil with at least 2 opportunities to take the examination  
7 administered under this subdivision.

8 (b) Administer the 10th grade examination to all pupils enrolled in the charter  
9 school in the 10th grade.

10 (d) If the charter school operates high school grades, beginning in the 2002–03  
11 school year, administer the high school graduation examination adopted by the  
12 operator of the charter school under sub. (1g) (b) to all pupils enrolled in the 11th and  
13 12th grades in the charter school. The operator of the charter school shall administer  
14 the examination at least twice each school year and may administer the examination  
15 only to pupils enrolled in the 11th and 12th grades.

16 **SECTION 2081.** 118.30 (2) (b) 1. and 2. of the statutes are amended to read:

17 118.30 (2) (b) 1. If a pupil is enrolled in a special education program under  
18 subch. V of ch. 115, the school board or operator of the charter school under s. 118.40  
19 (2r) shall comply with s. 115.77 ~~(1)~~ (1m) (bg).

20 2. According to criteria established by the state superintendent by rule, the  
21 school board or operator of the charter school under s. 118.40 (2r) may determine not  
22 to administer an examination under this section to a limited-English speaking  
23 pupil, as defined under s. 115.955 (7), may permit the pupil to be examined in his or  
24 her native language or may modify the format and administration of an examination  
25 for such pupils.

1           **SECTION 2082.** 118.30 (2) (b) 3. of the statutes is amended to read:

2           118.30 (2) (b) 3. Upon the request of a pupil's parent or guardian, the school  
3 board shall excuse the pupil from taking an examination administered under ~~this~~  
4 ~~section sub. (1m).~~

5           **SECTION 2082g.** 118.30 (2) (b) 4. of the statutes is created to read:

6           118.30 (2) (b) 4. Upon the request of a pupil's parent or guardian, the operator  
7 of a charter school under s. 118.40 (2r) shall excuse the pupil from taking an  
8 examination administered under sub. (1r).

9           **SECTION 2082j.** 118.30 (2) (e) of the statutes is created to read:

10           118.30 (2) (e) A pupil's score on the examination administered under sub. (1m)  
11 (d) or (1r) (d) shall be recorded on the pupil's transcript.

12           **SECTION 2082r.** 118.30 (5) of the statutes is repealed.

13           **SECTION 2084.** 118.30 (6) of the statutes is amended to read:

14           118.30 (6) A school board and an operator of a charter school under s. 118.40  
15 (2r) is not required to administer the 4th and 8th grade examinations adopted or  
16 approved by the state superintendent under sub. (1) ~~(a)~~ if the school board or the  
17 operator of the charter school administers its own 4th and 8th grade examinations,  
18 the school board or operator of the charter school provides the state superintendent  
19 with statistical correlations of those examinations with the examinations adopted or  
20 approved by the state superintendent under sub. (1) ~~(a)~~, and the federal department  
21 of education approves.

22           **SECTION 2084m.** 118.33 (title) of the statutes is amended to read:

23           118.33 (title) **High school graduation standards; criteria for promotion.**

24           **SECTION 2085m.** 118.33 (1) (cm) of the statutes is repealed.

25           **SECTION 2086f.** 118.33 (1) (e) of the statutes is repealed.

1           **SECTION 2086h.** 118.33 (1) (f) of the statutes is created to read:

2           118.33 (1) (f) 1. By September 1, 2002, each school board operating high school  
3 grades shall develop a written policy specifying criteria for granting a high school  
4 diploma that are in addition to the requirements under par. (a). The criteria shall  
5 include the pupil's score on the examination administered under s. 118.30 (1g) (d),  
6 the pupil's academic performance, the recommendations of teachers and any other  
7 criteria specified by the school board. Except as provided in subd. 2., the criteria  
8 apply to pupils enrolled in charter schools located in the school district.

9           2. By September 1, 2002, each operator of a charter school under s. 118.40 (2r)  
10 that operates high school grades shall develop a policy specifying criteria for  
11 granting a high school diploma. The criteria shall include the pupil's score on the  
12 examination administered under s. 118.30 (1r) (d), the pupil's academic  
13 performance, the recommendations of teachers and any other criteria specified by  
14 the operator of the charter school.

15           3. Beginning September 1, 2003, neither a school board nor an operator of a  
16 charter school under s. 118.40 (2r) may grant a high school diploma to any pupil  
17 unless the pupil has satisfied the criteria specified in the school board's or charter  
18 school's policy under subd. 1. or 2.

19           **SECTION 2086m.** 118.33 (6) of the statutes is created to read:

20           118.33 (6) (a) 1. Each school board shall adopt a written policy specifying the  
21 criteria for promoting a pupil from the 4th grade to the 5th grade and from the 8th  
22 grade to the 9th grade. The criteria shall include the pupil's score on the examination  
23 administered under s. 118.30 (1m) (a) or (am), unless the pupil has been excused from  
24 taking the examination under s. 118.30 (2) (b); the pupil's academic performance; the  
25 recommendations of teachers, which shall be based solely on the pupil's academic

1 performance; and any other academic criteria specified by the school board. Except  
2 as provided in par. (b) 1., the criteria apply to pupils enrolled in charter schools  
3 located in the school district.

4 2. Except as provided in par. (b) 2., beginning on September 1, 2002, a school  
5 board may not promote a 4th grade pupil enrolled in the school district, including a  
6 pupil enrolled in a charter school located in the school district, to the 5th grade, and  
7 may not promote an 8th grade pupil enrolled in the school district, including a pupil  
8 enrolled in a charter school located in the school district, to the 9th grade, unless the  
9 pupil satisfies the criteria for promotion specified in the school board's policy adopted  
10 under subd. 1.

11 (b) 1. Each operator of a charter school under s. 118.40 (2r) shall adopt a written  
12 policy specifying the criteria for promoting a pupil from the 4th grade to the 5th grade  
13 and from the 8th grade to the 9th grade. The criteria shall include the pupil's score  
14 on the examination administered under s. 118.30 (1r) (a) or (am), unless the pupil has  
15 been excused from taking the examination under s. 118.30 (2) (b); the pupil's  
16 academic performance; the recommendations of teachers, which shall be based solely  
17 on the pupil's academic performance; and any other academic criteria specified by  
18 the operator of the charter school.

19 2. Beginning on September 1, 2002, an operator of a charter school under s.  
20 118.40 (2r) may not promote a 4th grade pupil to the 5th grade, and may not promote  
21 an 8th grade pupil to the 9th grade, unless the pupil satisfies the criteria for  
22 promotion specified in the charter school operator's policy under subd. 1.

23 **SECTION 2086t.** 118.34 (4) of the statutes is created to read:

24 118.34 (4) The governor's work-based learning board shall review the local  
25 technical preparation programs established under sub. (1) as operated during the

1 1999–2000 fiscal year, the organizational structure used to implement those  
2 programs during that fiscal year and the allocation of funding to those programs for  
3 that fiscal year to determine whether those programs, that organizational structure  
4 and that allocation of funding should continue in the manner in which they were  
5 provided during the 1999–2000 fiscal year beyond that fiscal year and shall submit  
6 a plan for the implementation of those programs beyond the 1999–2000 fiscal year  
7 to the joint committee on finance by June 15, 2000. If the cochairpersons of the  
8 committee do not notify the governor’s work–based learning board within 14 working  
9 days after the date of submittal of the plan that the committee has scheduled a  
10 meeting for the purpose of reviewing the plan, the board may implement the plan,  
11 notwithstanding subs. (1), (2) and (3). If within 14 working days after the date of  
12 submittal of the plan, the cochairpersons of the committee notify the governor’s  
13 work–based learning board that the committee has scheduled a meeting for the  
14 purpose of reviewing the plan, the board may implement the plan, notwithstanding  
15 subs. (1), (2) and (3), only as approved or modified by the committee.

16 **SECTION 2090.** 118.40 (2r) (d) 2. of the statutes is amended to read:

17 118.40 (2r) (d) 2. Administer the examinations under ss. 118.30 ~~(1m)~~ (1r) and  
18 121.02 (1) (r) to pupils enrolled in charter schools under this subsection.

19 **SECTION 2090m.** 118.40 (2r) (e) of the statutes is amended to read:

20 118.40 (2r) (e) From the appropriation under s. 20.255 (2) (fm), the department  
21 shall pay to the operator of the charter school an amount equal to the ~~shared cost per~~  
22 ~~member in the previous school year of the school district operating under ch. 119~~ sum  
23 of the amount paid per pupil under this paragraph in the previous school year and  
24 the amount of revenue increase per pupil allowed under subch. VII of ch. 121 in the  
25 current school year, multiplied by the number of pupils attending the charter school.

1 The department shall pay 25% of the total amount in September, 25% in December,  
2 25% in February and 25% in June. The department shall send the check to the  
3 operator of the charter school.

4 **SECTION 2091.** 118.40 (2r) (f) of the statutes is repealed.

5 **SECTION 2092.** 118.40 (2r) (g) of the statutes is repealed.

6 **SECTION 2095.** 118.42 of the statutes is repealed.

7 **SECTION 2096.** 118.43 (2) (a) of the statutes is amended to read:

8 118.43 (2) (a) The school board of any school district in which a school in the  
9 previous school year had an enrollment that was at least 50% low-income is eligible  
10 to participate in the program under this section, except that a school board is eligible  
11 to participate in the program under this section in the 2000-01 school year if in the  
12 1998-99 school year a school in the school district had an enrollment that was at least  
13 50% low-income.

14 **SECTION 2097.** 118.43 (2) (b) (intro.) of the statutes is amended to read:

15 118.43 (2) (b) (intro.) In the 1996-97 and 1998-99 school years year, the school  
16 board of an eligible school district may enter into a 5-year achievement guarantee  
17 contract with the department on behalf of one school in the school district if all of the  
18 following apply:

19 **SECTION 2098.** 118.43 (2) (bg) of the statutes is created to read:

20 118.43 (2) (bg) In the 1998-99 school year, the school board of an eligible school  
21 district may enter into a 5-year achievement guarantee contract with the  
22 department on behalf of one school in the school district if all of the following apply:

23 1. In the previous school year, the school had an enrollment that was at least  
24 30% low-income.



1           2. The school board is not receiving a grant under the preschool to grade 5  
2 program on behalf of the school under s. 115.45.

3           **SECTION 2099.** 118.43 (2) (br) of the statutes is created to read:

4           118.43 (2) (br) In the 2000–01 school year, the school board of an eligible school  
5 district other than the school district operating under ch. 119 may enter into a 5–year  
6 achievement guarantee contract with the department on behalf of one or more  
7 schools in the school district if all of the following apply:

8           1. In the previous school year, each school had an enrollment that was at least  
9 65% low–income.

10          2. The school board is not receiving a grant under the preschool to grade 5  
11 program on behalf of any of the schools under s. 115.45.

12          3. The school board, if eligible to participate in the program under this section  
13 in the 1996–97 and 1998–99 school years, had participated in the program during  
14 either school year.

15          4. None of the schools is a beneficiary of a contract under this section.

16           **SECTION 2100.** 118.43 (2) (bt) of the statutes is created to read:

17           118.43 (2) (bt) In the 2000–01 school year, the school board of the school district  
18 operating under ch. 119 may enter into a 5–year achievement guarantee contract  
19 with the department on behalf of one or more schools in the school district if all of the  
20 following apply:

21           1. In the previous school year, each school had an enrollment that was at least  
22 65% low–income.

23           2. The school board is not receiving a grant under the preschool to grade 5  
24 program under s. 115.45 on behalf of any of the schools.

25           3. None of the schools is a beneficiary of a contract under this section.

1           **SECTION 2101.** 118.43 (2) (c) of the statutes is amended to read:

2           118.43 (2) (c) Notwithstanding ~~par. pars. (b) and (bg)~~, the school board of the  
3 school district operating under ch. 119 may enter into an achievement guarantee  
4 contract on behalf of up to 10 schools under par. (b) and up to 10 schools under par.  
5 (bg).

6           **SECTION 2102.** 118.43 (2) (e) 1. of the statutes is amended to read:

7           118.43 (2) (e) 1. If the school board of an eligible school district does not enter  
8 into an achievement guarantee contract with the department, a school board that  
9 has entered into such a contract, other than the school board of the school district  
10 operating under ch. 119, may apply to the department to enter into such a contract  
11 on behalf of one ~~additional school or more schools~~ that ~~meets~~ meet the requirements  
12 under par. (b), (bg) or (br).

13           **SECTION 2103.** 118.43 (2) (f) of the statutes is amended to read:

14           118.43 (2) (f) The department may not enter into an achievement guarantee  
15 contract with a school board on behalf of a school after June 30, ~~1999~~ 2001.

16           **SECTION 2104.** 118.43 (3) (intro.) of the statutes is amended to read:

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

20           **SECTION 2105.** 118.43 (3) (ar) of the statutes is created to read:

21           118.43 (3) (ar) *Class size; additional contracts.* For contracts that begin in the  
22 2000–01 school year, reduce each class size to 15 in the following manner:

- 23           1. In the 2000–01 school year, in at least grades kindergarten and one.  
24           2. In the 2001–02 school year, in at least grades kindergarten to 2.

1           3. In the 2002–03 to 2004–05 school years, in at least grades kindergarten to  
2           3.

3           **SECTION 2106.** 118.43 (5) (b) of the statutes is amended to read:

4           118.43 (5) (b) ~~At the end of the 1997–98, 1998–99, 1999–2000, 2000–01 and~~  
5           ~~2001–02 school years~~ Annually by June 30 through the 2003–04 school year, a  
6           committee consisting of the state superintendent, the chairpersons of the education  
7           committees in the senate and assembly and the individual chiefly responsible for the  
8           evaluation under sub. (7) shall review the progress made by each school for which  
9           an achievement guarantee contract has been entered into. The committee may  
10          recommend to the department that the department terminate a contract if the  
11          committee determines that the school board has violated the contract or if the school  
12          has made insufficient progress toward achieving its performance objectives under  
13          sub. (4) (c). The department may terminate the contract if it agrees with the  
14          committee's recommendation.

15          **SECTION 2106r.** 118.43 (6) (b) 5. of the statutes is repealed.

16          **SECTION 2107b.** 118.43 (6) (b) 6., 7. and 8. of the statutes are created to read:

17          118.43 (6) (b) 6. In the 2000–01 school year, \$2,000 multiplied by the number  
18          of low-income pupils enrolled in grades eligible for funding in each school in the  
19          school district covered by contracts under sub. (3) (a) and (am). After making these  
20          payments, the department shall pay school districts on behalf of schools that are  
21          covered by contracts under sub. (3) (ar) an amount equal to \$2,000 multiplied by the  
22          number of low-income pupils enrolled in grades eligible for funding in each school  
23          in the school district covered by contracts under sub. (3) (ar). In making these  
24          payments, the department shall give priority to schools that have the highest

1 percentage of low-income pupil enrollment and shall also ensure that it fully  
2 distributes the amount appropriated.

3 7. In the 2001–02 and 2002–03 school years, \$2,000 multiplied by the number  
4 of low-income pupils enrolled in grades eligible for funding in each school in the  
5 school district covered by contracts under sub. (3) (am). After making these  
6 payments, the department shall pay school districts on behalf of schools that are  
7 covered by contracts under sub. (3) (ar), an amount equal to \$2,000 multiplied by the  
8 number of low-income pupils enrolled in grades eligible for funding in each school  
9 in the school district covered by contracts under sub. (3) (ar).

10 8. In the 2003–04 and 2004–05 school years, \$2,000 multiplied by the number  
11 of low-income pupils enrolled in grades eligible for funding in each school in the  
12 school district covered by contracts under sub. (3) (ar).

13 **SECTION 2107c.** 118.43 (6m) of the statutes is created to read:

14 118.43 (6m) RULES. The department shall promulgate rules to implement and  
15 administer the payment of state aid under sub. (6).

16 **SECTION 2107d.** 118.43 (8) of the statutes is created to read:

17 118.43 (8) STATE AID FOR DEBT SERVICE. (a) Beginning in the 2000–01 school year,  
18 a school district is eligible for aid under this subsection if it applies to the department  
19 for approval of the amount of bonds specified in the copy of the resolution under 1999  
20 Wisconsin Act ... (this act), section 9139 (2d). If the department approves the  
21 amount before June 30, 2001, the department shall, from the appropriation under  
22 s. 20.255 (2) (cs), pay each school district that issues bonds pursuant to a referendum  
23 under 1999 Wisconsin Act ... (this act), section 9139 (2d), an amount equal to 20%  
24 of the annual debt service cost on the bonds. This subsection does not apply to the  
25 school district operating under ch. 119.

1 (b) The department shall promulgate rules to implement and administer this  
2 subsection.

3 **SECTION 2107f.** 118.55 (7r) (d) 1. (intro.) and a. of the statutes are consolidated,  
4 renumbered 118.55 (7r) (d) 1. and amended to read:

5 118.55 (7r) (d) 1. For each pupil attending a technical college under this  
6 subsection, the school board shall pay to the technical college district board, in 2  
7 instalments payable upon initial enrollment and at the end of the semester, the  
8 following amount: ~~a. If the pupil is attending the technical college for less than 7~~  
9 ~~credits that are eligible for high school credit, for those courses taken for high school~~  
10 credit, an amount equal to the cost of tuition, course fees and books for the pupil at  
11 the technical college.

12 **SECTION 2107g.** 118.55 (7r) (d) 1. b. of the statutes is repealed.

13 **SECTION 2107n.** 118.55 (7t) of the statutes is created to read:

14 118.55 (7t) LIMITATIONS ON PARTICIPATION AND PAYMENT. (a) When a pupil gains  
15 12th grade status, as determined by the school board of the school district in which  
16 the pupil is enrolled, the pupil may participate in the program under this section for  
17 no more than 2 consecutive semesters.

18 (b) If a school board is required to pay tuition on behalf of a pupil under sub.  
19 (5) (a) or (c) 1. or (7r) (d), the tuition charged may not exceed the amount that would  
20 be charged a pupil who is a resident of this state.

21 **SECTION 2107r.** 118.55 (7w) (title) of the statutes is repealed.

22 **SECTION 2107t.** 118.55 (7w) of the statutes is renumbered 118.55 (7r) (f) and  
23 amended to read:

24 118.55 (7r) (f) A pupil taking a course at a technical college for high school  
25 credit under this section subsection is not responsible for any portion of the tuition

1 and fees for the course if the school board is required to pay the technical college for  
2 the course under ~~sub. (7r)~~ par. (d).

3 **SECTION 2109c.** 119.23 (1) of the statutes is renumbered 119.23 (1) (intro.) and  
4 amended to read:

5 119.23 (1) (intro.) In this section, ~~“membership”~~:

6 (a) “Membership” has the meaning given in s. 121.004 (5).

7 **SECTION 2109g.** 119.23 (1) (b) and (c) of the statutes are created to read:

8 119.23 (1) (b) “Summer average daily membership equivalent” has the  
9 meaning given in s. 121.004 (8).

10 (c) “Summer choice average daily membership equivalent” means the summer  
11 average daily membership equivalent of pupils who were attending a private school  
12 under this section on the 2nd Friday of January of the school term immediately  
13 preceding that summer or whose applications have been accepted under sub. (3) for  
14 attendance at the private school in the school term immediately following that  
15 summer.

16 **SECTION 2108m.** 119.04 (1) of the statutes is amended to read:

17 119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.03 (3) (c),  
18 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343, 115.345, 115.361, 115.38  
19 (2), 115.45, 118.001 to 118.04, 118.045, 118.06, 118.07, 118.10, 118.12, 118.125 to  
20 118.14, 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18,  
21 118.19, 118.20, 118.24 (1), (2) (c) to (f), (6) and (8), 118.245, 118.255, 118.258, 118.30  
22 to 118.43, 118.51, 118.52, 118.55, 120.12 (5) and (15) to (25) (26), 120.125, 120.13 (1),  
23 (2) (b) to (g), (3), (14), (17) to (19), (26), (34) and (35), 120.135 and 120.14 are  
24 applicable to a 1st class city school district and board.

25 **SECTION 2108g.** 119.16 (3) (b) of the statutes is amended to read:

1           119.16 (3) (b) ~~Schoolhouses~~ Except as provided in par. (c), schoolhouses and the  
2 sites on which they are situated shall be the property of the city, ~~but no~~. No site may  
3 be purchased or leased and no schoolhouse may be constructed unless a resolution  
4 therefor is duly adopted by the board. ~~Deeds~~ Except as provided in par. (c), deeds of  
5 conveyance and leases shall be made to the city.

6           **SECTION 2108r.** 119.16 (3) (c) of the statutes is created to read:

7           119.16 (3) (c) If the redevelopment authority of the city issues bonds under s.  
8 66.431 (5r), the board may lease buildings or sites from the redevelopment authority  
9 or borrow money from the redevelopment authority for the purposes of par. (a).

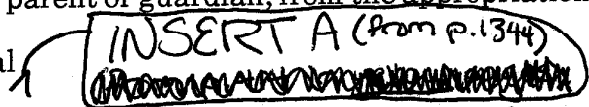
10          **SECTION 2108s.** 119.16 (10) of the statutes is created to read:

11          119.16 (10) PUBLIC HEARINGS ON SCHOOL CONSTRUCTION. The board shall hold a  
12 public hearing in each attendance district in which a new school that is financed with  
13 bond proceeds under s. 66.431 (5r) is to be constructed.

14          **SECTION 2109m.** 119.23 (2) (a) 1. of the statutes is amended to read:

15          119.23 (2) (a) 1. The pupil is a member of a family that has a an average total  
16 family income over a 4-year period that does not exceed an amount equal to 1.75  
17 times the poverty level determined in accordance with criteria established by the  
18 director of the federal office of management and budget.

19          **SECTION 2109p.** 119.23 (4) of the statutes is renumbered 119.23 (4) (b) (intro.)  
20 and amended to read:

21          119.23 (4) (b) (intro.) Upon receipt from the pupil's parent or guardian of proof  
22 of the pupil's enrollment in the private school during a school term, the state  
23 superintendent shall pay to the parent or guardian, from the appropriation under s.  
24 20.255 (2) (fu), an amount equal 

25          **SECTION 2109q.** 119.23 (4) (a) of the statutes is created to read:

1  
2  
3  
4  
INSERT A  
MOVE TO P.  
1343, line  
24 4

119.23 (4) (a) Annually, on or before October 15, a private school participating in the program under this section shall file with the department a report stating its summer average daily membership equivalent and its summer choice average daily membership equivalent for the purpose of sub. (4m).

5 ~~NO~~ to the total amount to which the school district is entitled under s. 121.08  
6 ~~divided by the school district membership, or an~~ lesser of the following:

7 1. The amount equal to the private school's operating and debt service cost per  
8 pupil that is related to educational programming, as determined by the department,  
9 whichever is less.

10 (c) The state superintendent shall pay 25% of the total amount under par. (b)  
11 in September, 25% in November, 25% in February and 25% in May. The state  
12 superintendent may include the entire amount under sub. (4m) in one of those  
13 instalments or apportion the entire amount among one or more of those instalments.

14 The department shall send the check to the private school. The parent or guardian  
15 shall restrictively endorse the check for the use of the private school.

16 **SECTION 2109s.** 119.23 (4) (b) 2. of the statutes is created to read:

17 119.23 (4) (b) 2. The sum of the amount paid per pupil under this subsection  
18 in the previous school year and the amount of revenue increase per pupil allowed  
19 under subch. VII of ch. 121 in the current school year.

20 **SECTION 2109s.** 119.23 (4m) of the statutes is created to read:

21 119.23 (4m) Beginning in the 1999-2000 school year, in addition to the  
22 payment under sub. (4) the state superintendent shall pay to the parent or guardian  
23 of each pupil enrolled in a private school under this section, in the manner described  
24 in sub. (4) (c), an amount determined by multiplying the payment under sub. (4) by  
25 the quotient determined by dividing the summer choice average daily membership



1 equivalent of the private school by the total number of pupils for whom payments are  
2 being made under sub. (4).

3 **SECTION 2110.** 119.23 (5) (intro.) and (c) of the statutes are consolidated,  
4 renumbered 119.23 (5) and amended to read:

5 119.23 (5) The state superintendent shall: ~~(e) Ensure~~ ensure that pupils and  
6 parents and guardians of pupils who reside in the city are informed annually of the  
7 private schools participating in the program under this section.

8 **SECTION 2111.** 119.23 (5) (a) of the statutes is repealed.

9 **SECTION 2112.** 119.23 (5) (b) of the statutes is repealed.

10 **SECTION 2113g.** 119.24 of the statutes is amended to read:

11 **119.24 Admission of pupils.** ~~Each school under the jurisdiction of the board~~  
12 ~~shall be open to pupils residing within the attendance district established for that~~  
13 ~~school under s. 119.16 (2). A pupil residing in any such district may attend a school~~  
14 ~~in another~~ an attendance district other than the one in which he or she resides with  
15 the written permission of the superintendent of schools. Beginning in the 2000–01  
16 school year, the board shall provide spaces in each school for pupils who reside  
17 outside the attendance district for the school, but shall fill any unused spaces with  
18 pupils who reside in the attendance district. A pupil who attends a school may  
19 continue to attend that school until he or she graduates from the school and each  
20 sibling of that pupil shall be given priority over other pupils in the process of  
21 admission for that school.

22 **SECTION 2118g.** 119.71 (2) of the statutes is repealed.

23 **SECTION 2118r.** 119.71 (3) of the statutes is amended to read:

24 119.71 (3) (a) The ~~Annually, the~~ board shall use the funds received under sub.  
25 ~~(2)~~ spend at least \$5,090,000 to expand its half-day 5-year-old kindergarten

1 program to a full-day program, as provided under par. (b), and shall enroll in the  
2 expanded program only pupils who meet the income eligibility standards for a free  
3 lunch under 42 USC 1758 (b). The board shall select pupils for the expanded program  
4 based on the order in which the pupils register for the program.

5 (b) The board shall use the funds ~~received~~ specified under ~~sub. (2) par. (a)~~ to pay  
6 the costs of teachers, aides and other support staff, transportation of staff to pupils'  
7 homes, in-service programs, parental involvement programs and instructional  
8 materials. The board may not use the funds to ~~supplant or replace funding otherwise~~  
9 ~~available for full-day 5-year-old kindergarten or~~ to provide facilities to house the  
10 program or to pay pupil transportation or indirect administrative costs associated  
11 with the program.

12 **SECTION 2119.** 119.72 (5) of the statutes is amended to read:

13 119.72 (5) From the appropriation under s. 20.255 (2) ~~(ee)~~ (kp), the state  
14 superintendent shall pay to the board the amount specified in the spending plan  
15 under s. 119.80 for the program under this section in each school year.

16 **SECTION 2119m.** 119.74 (intro.) of the statutes is amended to read:

17 **119.74 Extended-day elementary grade, 4-year-old kindergarten and**  
18 **alcohol and other drug abuse programs.** (intro.) ~~From the appropriation under~~  
19 ~~s. 20.255 (2) (ee), the state superintendent shall pay to the~~ The board the amounts  
20 specified in the spending plan under s. 119.80 shall spend at least \$430,000 for the  
21 following programs in each school year:

22 **SECTION 2120d.** 119.75 (2) (a) of the statutes is repealed.

23 **SECTION 2120h.** 119.75 (2) (b) of the statutes is renumbered 119.75 (2) and  
24 amended to read:

1           119.75 (2) ~~The Annually, the board shall use the funds received under par. (a)~~  
2           ~~spend at least \$1,070,000 to pay the costs of teachers, aides and other support staff,~~  
3           ~~transportation of staff to pupils' homes, in-service programs, parental involvement~~  
4           ~~programs and instructional materials related to the programs under sub. (1). The~~  
5           ~~board may not use the funds to supplant or replace funding otherwise available for~~  
6           ~~first grade programs or to provide facilities to house the programs under sub. (1) or~~  
7           ~~to pay pupil transportation or indirect administrative costs associated with the~~  
8           ~~programs under sub. (1).~~

9           **SECTION 2120p.** 119.78 (1) of the statutes is renumbered 119.78.

10          **SECTION 2120t.** 119.78 (2) of the statutes is repealed.

11          **SECTION 2121m.** 119.80 (1) of the statutes is amended to read:

12           119.80 (1) The board shall submit to the governor a proposal for the  
13           expenditure of the funds in the appropriation under s. 20.255 (2) ~~(ee)~~ (kp) in each  
14           school year.

15          **SECTION 2122m.** 119.80 (1m) of the statutes is amended to read:

16           119.80 (1m) Annually by June 1, the governor shall submit to the joint  
17           committee on finance and to the appropriate standing committees of the legislature  
18           under s. 13.172 (3) a proposal for the expenditure of the funds in the appropriation  
19           under s. 20.255 (2) ~~(ee)~~ (kp) in the following school year. By June 15, each such  
20           standing committee may submit written recommendations on the proposal to the  
21           joint committee on finance.

22          **SECTION 2123.** 119.80 (4) of the statutes is created to read:

23           119.80 (4) The department may not distribute any funds in the appropriation  
24           under s. 20.255 (2) (kp) in any fiscal year until the spending plan for that fiscal year  
25           has been approved.

1           **SECTION 2124.** 119.82 (3) of the statutes is amended to read:

2           119.82 (3) From the appropriation under s. 20.255 (2) ~~(ee)~~ (kp), the state  
3 superintendent shall pay to the board the amount specified in the spending plan  
4 under s. 119.80 in each school year for the programs under sub. (1).

5           **SECTION 2124m.** 120.12 (26) of the statutes is created to read:

6           120.12 (26) SCHOOL SAFETY PLANS. Have in effect a school safety plan for each  
7 school in the school district.

8           **SECTION 2124t.** 120.13 (1) (b) of the statutes is amended to read:

9           120.13 (1) (b) The school district administrator or any principal or teacher  
10 designated by the school district administrator also may make rules, with the  
11 consent of the school board, and may suspend a pupil for not more than 5 school days  
12 or, if a notice of expulsion hearing has been sent under par. (c) 4 or (e) 4. or s. 119.25  
13 (2) (c), for not more than a total of 15 consecutive school days for noncompliance with  
14 such rules or school board rules, or for knowingly conveying any threat or false  
15 information concerning an attempt or alleged attempt being made or to be made to  
16 destroy any school property by means of explosives, for conduct by the pupil while  
17 at school or while under the supervision of a school authority which endangers the  
18 property, health or safety of others, or for conduct while not at school or while not  
19 under the supervision of a school authority which endangers the property, health or  
20 safety of others at school or under the supervision of a school authority or endangers  
21 the property, health or safety of any employe or school board member of the school  
22 district in which the pupil is enrolled. In this paragraph, conduct that endangers a  
23 person or property includes making a threat to the health or safety of a person or  
24 making a threat to damage property. Prior to any suspension, the pupil shall be  
25 advised of the reason for the proposed suspension. The pupil may be suspended if

1 it is determined that the pupil is guilty of noncompliance with such rule, or of the  
2 conduct charged, and that the pupil's suspension is reasonably justified. The parent  
3 or guardian of a suspended minor pupil shall be given prompt notice of the  
4 suspension and the reason for the suspension. The suspended pupil or the pupil's  
5 parent or guardian may, within 5 school days following the commencement of the  
6 suspension, have a conference with the school district administrator or his or her  
7 designee who shall be someone other than a principal, administrator or teacher in  
8 the suspended pupil's school. If the school district administrator or his or her  
9 designee finds that the pupil was suspended unfairly or unjustly, or that the  
10 suspension was inappropriate, given the nature of the alleged offense, or that the  
11 pupil suffered undue consequences or penalties as a result of the suspension,  
12 reference to the suspension on the pupil's school record shall be expunged. Such  
13 finding shall be made within 15 days of the conference. A pupil suspended under this  
14 paragraph shall not be denied the opportunity to take any quarterly, semester or  
15 grading period examinations or to complete course work missed during the  
16 suspension period, as provided in the attendance policy established under s. 118.16  
17 (4) (a).

18 **SECTION 2124u.** 120.13 (1) (c) 1. of the statutes is amended to read:

19 120.13 (1) (c) 1. The school board may expel a pupil from school whenever it  
20 finds the pupil guilty of repeated refusal or neglect to obey the rules, or finds that a  
21 pupil knowingly conveyed or caused to be conveyed any threat or false information  
22 concerning an attempt or alleged attempt being made or to be made to destroy any  
23 school property by means of explosives, or finds that the pupil engaged in conduct  
24 while at school or while under the supervision of a school authority which  
25 endangered the property, health or safety of others, or finds that a pupil while not

1 at school or while not under the supervision of a school authority engaged in conduct  
2 which endangered the property, health or safety of others at school or under the  
3 supervision of a school authority or endangered the property, health or safety of any  
4 employe or school board member of the school district in which the pupil is enrolled,  
5 and is satisfied that the interest of the school demands the pupil's expulsion. In this  
6 subdivision, conduct that endangers a person or property includes making a threat  
7 to the health or safety of a person or making a threat to damage property.

8 **SECTION 2124m.** 120.13 (14) of the statutes is amended to read:

9 120.13 (14) DAY CARE PROGRAMS. Establish and provide or contract for the  
10 provision of day care programs for children. The school board may receive federal  
11 or state funds for this purpose. The school board may charge a fee for all or part of  
12 the cost of the service for participation in a day care program established under this  
13 subsection. Costs associated with a day care program under this subsection may not  
14 be included in shared costs under s. 121.07 (6). Day care programs established under  
15 this subsection shall meet the standards for licensed day care centers established by  
16 the department of health and family services. If a school board proposes to contract  
17 for or renew a contract for the provision of a day care program under this subsection  
18 or if on July 1, 1996, a school board is a party to a contract for the provision of a day  
19 care program under this subsection, the school board shall refer the contractor or  
20 proposed contractor to the department of health and family services for the criminal  
21 history and child abuse record search required under s. 48.685. Each school board  
22 shall provide the department of health and family services with information about  
23 each person who is denied a contract for a reason specified in s. 48.685 ~~(2)~~ (4m) (a)  
24 1. to 5.

25 **SECTION 2124r.** 120.13 (2) (g) of the statutes is amended to read:

1           120.13 (2) (g) Every self-insured plan under par. (b) shall comply with ss.  
2           49.493 (3) (d), 631.89, 631.90, 631.93 (2), 632.746 (10) (a) 2. and (b) 2., 632.747 (3),  
3           632.85, 632.853, 632.855, 632.87 (4) and (5), 632.895 (9) to (13), 632.896, and 767.25  
4           (4m) (d), ~~767.51 (3m) (d) and 767.62 (4) (b) 4.~~

5           **SECTION 2125.** 120.13 (26r) of the statutes is amended to read:

6           120.13 (26r) CONTRACTS FOR OUTPATIENT MENTAL HEALTH AND DEVELOPMENTAL  
7           DISABILITIES SERVICES. Contract with the department of health and family services for  
8           outpatient services under s. ~~51.07 (4)~~ 46.043.

9           **SECTION 2126.** 120.13 (27m) of the statutes is amended to read:

10          120.13 (27m) TRANSPORTATION OF INDIGENT PUPILS. Provide transportation to  
11          and from school for indigent pupils who reside in the school district and who are not  
12          required to be transported under s. 121.54. In this subsection, “indigent pupils”  
13          means pupils who are eligible for free lunches or reduced-price lunches under 42  
14          USC 1758 ~~or aid to 18-year-old students under s. 49.20 or for whom aid to families~~  
15          ~~with dependent children is being received under s. 49.19~~ or who are members of a  
16          Wisconsin works group, as defined in s. 49.141 (1) (s), with a member who is  
17          participating in Wisconsin works under s. 49.147 (3) to (5) or any combination  
18          thereof, as determined by the school board. If a school board determines to provide  
19          transportation under this subsection, there shall be reasonable uniformity in the  
20          transportation furnished such pupils whether they attend public or private schools.  
21          The cost of transporting pupils under this subsection may not be included in the  
22          school district’s shared cost under s. 121.07 (6) (a).

23          **SECTION 2126m.** 120.135 of the statutes is created to read:

24          **120.135 Capital improvement fund. (1)** By the first day of the 6th month  
25          commencing after the effective date of this subsection .... [revisor inserts date], by a

1 two-thirds vote of the members elect, a school board may adopt a resolution creating  
2 a capital improvement fund for the purpose of financing the cost of acquiring and  
3 improving sites, constructing school facilities and major maintenance of or  
4 remodeling, renovating and improving school facilities.

5 (2) If a tax incremental district that is located in whole or in part in the school  
6 district is terminated before the maximum number of years that the tax incremental  
7 district would have existed under s. 66.46 (7) (am) or (ar), in each year in which the  
8 school board adopts a resolution by a two-thirds vote of the members elect expressing  
9 its intention to do so until the year after the year in which the tax incremental district  
10 would have been required to terminate under s. 66.46 (7) (am) or (ar), the school  
11 board shall deposit into the capital improvement fund the percentage specified in the  
12 resolution of the school district's portion of the positive tax increment of the tax  
13 incremental district in that year, as determined by the department of revenue under  
14 s. 66.46. If the value increment is less than \$300,000,000, the percentage specified  
15 in the resolution may not exceed 66.7%.

16 (3) The school board shall use the balance of the school district's portion of the  
17 positive tax increment of the tax incremental district to reduce the levy that  
18 otherwise would be imposed.

19 (4) Money in the capital improvement fund may not be used for any purpose  
20 or be transferred to any other fund without the approval of a majority of the electors  
21 of the school district voting on the question at a referendum.

22 (5) The school board shall submit a report by January 1 of each odd-numbered  
23 year to the governor and the joint committee on finance describing the use of the  
24 moneys deposited into the fund under sub. (1) and the effects of that use.

25 **SECTION 2127.** 121.004 (7) (a) (intro.) of the statutes is amended to read:



1           121.004 (7) (a) (intro.) “Pupils enrolled” is the total number of pupils, as  
2 expressed by official enrollments, in all schools of the school district, except as  
3 provided in pars. (b) to ~~(e)~~ (f). If such total contains a fraction, it shall be expressed  
4 as the nearest whole number. The same method shall be used in computing the  
5 number of pupils enrolled for resident pupils, nonresident pupils or both.

6           **SECTION 2128.** 121.004 (7) (f) of the statutes is created to read:

7           121.004 (7) (f) A pupil who transfers from one school district to another under  
8 s. 121.85 (3) (a) shall be counted by the school district in which the pupil resides as  
9 0.75 pupil or, if appropriate, as a number equal to the result obtained by multiplying  
10 0.75 by the appropriate fraction under par. (c), (cm) or (d).

11           **SECTION 2128m.** 121.02 (1) (L) 5. of the statutes is repealed.

12           **SECTION 2128m.** 121.004 (8) of the statutes is amended to read:

13           121.004 (8) **SUMMER AVERAGE DAILY MEMBERSHIP EQUIVALENT.** “Summer average  
14 daily membership equivalent” is the ~~sum of all~~ total number of minutes in which  
15 pupils are enrolled in academic summer classroom classes or laboratory periods ~~in~~  
16 ~~which each pupil is enrolled as determined by multiplying the total number of~~  
17 ~~periods in each day in which the pupil is enrolled by the total number of days for~~  
18 which the pupil is enrolled, as defined by the state superintendent under s. 121.14,  
19 divided by ~~1,080~~ 48,600.

20           **SECTION 2129.** 121.02 (1) (r) of the statutes is amended to read:

21           121.02 (1) (r) Annually Except as provided in s. 118.40 (2r) (d) 2., annually  
22 administer a standardized reading test developed by the department to all pupils  
23 enrolled in the school district in grade 3, including pupils enrolled in charter schools  
24 located in the school district.

25           **SECTION 2130.** 121.02 (1) (s) of the statutes is amended to read:

1           121.02 (1) (s) Administer the examinations as required under s. 118.30 (~~1m~~)  
2           (a), (~~am~~) and (b) and, beginning in the 1999–2000 school year, administer the high  
3           school graduation examination required under s. 118.30 (~~1m~~) (d).

4           **SECTION 2131.** 121.05 (1) (a) 4. of the statutes is repealed.

5           **SECTION 2131d.** 121.05 (1) (a) 8. of the statutes is amended to read:

6           121.05 (1) (a) 8. Pupils enrolled in a residential school operated by the state the  
7           Wisconsin School for the Deaf or the school operated by the Wisconsin Center for the  
8           Blind and Visually Impaired under subch. III of ch. 115 for whom the school district  
9           is paying tuition under s. 115.53 (2) determined by multiplying the total number of  
10          periods in each day in which the pupils are enrolled in the local public school by the  
11          total number of days for which the pupils are enrolled in the local public school and  
12          dividing the product by 1,080.

13          **SECTION 2132.** 121.05 (1) (a) 9. of the statutes is amended to read:

14          121.05 (1) (a) 9. Pupils enrolled in a charter school, other than a charter school  
15          under s. 118.40 (2r).

16          **SECTION 2134.** 121.05 (1) (a) 11. of the statutes is amended to read:

17          121.05 (1) (a) 11. Pupils residing in the school district but attending a public  
18          school in another school district under s. 118.51 or 121.85 (3) (a).

19          **SECTION 2135.** 121.07 (1) (a) of the statutes is amended to read:

20          121.07 (1) (a) The membership of the school district in the previous school year  
21          and the shared cost for the previous school year shall be used in computing general  
22          aid, ~~except that the membership used to compute state aid to the school district~~  
23          ~~operating under ch. 119 shall include those pupils who are attending a private school~~  
24          ~~under s. 119.23 in the current school year and were enrolled in grades kindergarten~~  
25          ~~to 3 in a private school located in the city of Milwaukee other than under s. 119.23~~

1 ~~in the previous school year.~~ If a school district has a state trust fund loan as a result  
2 of s. 24.61 (3) (c) 2., the school district's debt service costs shall be based upon current  
3 school year costs for the term of the loan and for one additional school year.

4 **SECTION 2135t.** 121.07 (6) (a) (intro.) of the statutes is amended to read:

5 121.07 (6) (a) "Shared cost" is the sum of the net cost of the general fund and  
6 the net cost of the debt service fund, except that "shared cost" excludes any costs,  
7 including attorney fees, incurred by a school district as a result of its participation  
8 in a lawsuit commenced against the state, beginning with such costs incurred in the  
9 fiscal year in which the lawsuit is commenced, excludes any expenditures from a  
10 capital improvement fund created under s. 120.135 and excludes the costs of  
11 transporting those transfer pupils for whom the school district operating under ch.  
12 119 does not receive intradistrict transfer aid under s. 121.85 (6) as a result of s.  
13 121.85 (6) (am). In this paragraph, "net cost of the debt service fund" includes all of  
14 the following amounts:

15 **SECTION 2136.** 121.07 (7) (b) of the statutes is amended to read:

16 121.07 (7) (b) The "secondary guaranteed valuation per member" is an amount,  
17 rounded to the next lower dollar, that, after subtraction of payments under ss.  
18 121.09, ~~121.105,~~ and 121.85 (6) (b) 2. and 3. and (c) ~~and 121.86,~~ fully distributes an  
19 amount equal to the amount remaining in the appropriation under s. 20.255 (2) (ac)  
20 plus \$75,000,000 in the 1997-98 school year and \$100,000,000 in the 1998-99 school  
21 year for payments under ss. 121.08 ~~and,~~ 121.105, 121.85 (6) (a) and (g) ~~and 121.86.~~

22 **SECTION 2136m.** 121.08 (4) of the statutes is created to read:

23 121.08 (4) (a) The amount of state aid that a school district is eligible to be paid  
24 from the appropriation under s. 20.255 (2) (ac) shall be reduced by the amount  
25 determined as follows:

1 1. Add the amounts paid under s. 118.40 (2r) and (4m) in the current school  
2 year.

3 2. Divide the sum under subd. 1. by the total amount of state aid that all school  
4 districts are eligible to be paid from the appropriation under s. 20.255 (2) (ac),  
5 calculated as if the reduction under par. (c) had not occurred.

6 3. Multiply the amount of state aid that the school district is eligible to be paid  
7 from the appropriation under s. 20.255 (2) (ac), calculated as if the reduction under  
8 par. (c) had not occurred, by the quotient under subd. 2.

9 (b) The amount of state aid that the school district operating under ch. 119 is  
10 eligible to be paid from the appropriation under s. 20.255 (2) (ac) shall also be reduced  
11 by 50% of the amounts paid under s. 119.23 (4) and (4m) in the current school year.

12 (c) The amount of state aid that each school district other than the school  
13 district operating under ch. 119 is eligible to be paid from the appropriation under  
14 s. 20.255 (2) (ac) shall also be reduced by an amount calculated as follows:

15 1. Add the amounts paid under s. 119.23 (4) and (4m) in the current school year  
16 and divide the sum by 2.

17 2. Divide the result obtained under subd. 1. by the total amount of state aid that  
18 all school districts other than the school district operating under ch. 119 are eligible  
19 to be paid from the appropriation under s. 20.255 (2) (ac), calculated as if the  
20 reduction under par. (a) had not occurred.

21 3. Multiply the amount of state aid that the school district is eligible to be paid  
22 from the appropriation under s. 20.225 (2) (ac), calculated as if the reduction under  
23 par. (a) had not occurred, by the quotient under subd. 2.

25 SECTION 2137. 121.105 (2) (a) 1. of the statutes is amended to read:

(d) The state superintendent shall ensure that the total amount of aid reduction under pars. (a) to (c) lesser to the general fund.

1           21.105 (2) (a) 1. If a school district would receive less than 85% of the state  
2           aid for the current school year in state aid in the current year than an amount equal  
3           to 85% of the state aid that it received as state aid in the previous school year, its state  
4           aid for the current school year shall be increased to an amount equal to 85% of the  
5           state aid received in the previous school year.

6           **SECTION 2137m.** 21.105 (2) (a) 2. of the statutes is amended to read:

7           21.105 (2) (a) 2. If a school district would receive less in state aid in the current  
8           school year than an amount equal to the aid that it received in the previous school  
9           year minus \$1,000,000, its state aid for the current school year shall be increased to  
10          an amount equal to the state aid that it received in the previous school year minus  
11          \$1,000,000. This subdivision does not apply after the 1998-99 school year.

12          **SECTION 2138.** 21.105 (2) (a) 3. of the statutes is amended to read:

13          21.105 (2) (a) 3. A school district eligible for aid under subd. 1. and 2. in the  
14          1998-99 school year shall receive the greater of the aid amounts under subd. 1. or  
15          2. The additional aid shall be paid from the appropriations under s. 20.255 (2) (ac)  
16          and (q).

17          ~~**SECTION 2139m.** 21.15 (3m) (a) 1. of the statutes is renumbered 21.15 (3m)~~

18          ~~(a) 1m. (intro.) and amended to read:~~

19          ~~21.15 (3m) (a) 1m. (intro.) "Partial school revenues" means the sum of state~~  
20          ~~school aids, other than the amounts appropriated under s. 20.255 (2) (bi) and (cv),~~  
21          ~~and property taxes levied for school districts and aid paid to school districts under~~  
22          ~~s. 79.095 (4), less the amount of any revenue limit increase under s. 121.91 (4) (a) 2.~~  
23          ~~due to a school board's increasing the services that it provides by adding~~  
24          ~~responsibility for providing a service transferred to it from another school board and~~  
25          ~~determined as follows:~~

*Insert 1357-16* ✓

1 **SECTION 2139n.** 121.15 (3m) (a) 1d. of the statutes is created to read:

2 121.15 (3m) (a) 1d. "Debt service" means the payment of any general obligation  
3 debt service, including debt service on debt issued or reissued to fund or refund  
4 outstanding municipal obligations, interest on outstanding municipal obligations or  
5 the payment of related issuance costs or redemption premiums, authorized by a  
6 referendum and secured by the full faith and credit of the school district.

7 **SECTION 2139p.** 121.15 (3m) (a) 1m. a., b. and c. of the statutes are created to  
8 read:

9 121.15 (3m) (a) 1m. a. In the 2000-01 school year, \$420,000,000.

10 b. In the 2001-02 school year, \$420,000,000 multiplied by the sum of 1.0 plus  
11 the allowable rate of increase under s. 73.0305 expressed as a decimal.

12 c. In the 2002-03 school year and in any school year thereafter, the amount  
13 determined in the previous school year under this subd. 1m. c. or under subd. 1m.

14 b. multiplied by the sum of 1.0 plus the allowable rate of increase under s. 73.0305

15 **SECTION 2140.** 121.15 (3m) (a) 2. of the statutes is amended to read:

16 121.15 (3m) (a) 2. "State school aids" means those aids appropriated under s.  
17 20.255 (2), other than s. 20.255 (2) ~~(cs), (fm), (fu), (k) and (m)~~, and under ss. 20.275  
18 (1) (d), (es), (et), and (f), ~~(fs) and (u)~~ and 20.285 (1) (ee), (r) and (rc) and those aids  
19 appropriated under s. 20.275 (1) (s) that are used to provide grants or educational  
20 telecommunications access to school districts under s. ~~196.218 (4r)~~ 44.73.

21 **SECTION 2141.** 121.15 (4) of the statutes is renumbered 121.15 (4) (b) and  
22 amended to read:

23 121.15 (4) (b) On July 1 and October 15, using the most accurate data available,  
24 the state superintendent shall provide the department of revenue and each school  
25 district with an estimate of the total amount of state aid, ~~as defined in s. 121.90 (2),~~

leave in

1 the school district will receive in the current school year. On October 15, using the  
2 most accurate data available, the state superintendent shall calculate the total  
3 amount of state aid, ~~as defined in s. 121.90 (2)~~, that each school district will receive  
4 in the current school year. Any adjustments to that calculation shall be made by  
5 increasing or decreasing the payment made in September of the following school  
6 year.

7 **SECTION 2142.** 121.15 (4) (a) of the statutes is created to read:

8 121.15 (4) (a) In this subsection, “state aid” has the meaning given in s. 121.90  
9 (2) except that it excludes aid paid to school districts under s. 79.095 (4).

10 **SECTION 2142b.** 121.41 (2) of the statutes is amended to read:

11 121.41 (2) FEES. A school board or the technical college system board may  
12 establish and collect reasonable fees for any driver education program or part of a  
13 program which is neither required for nor credited toward graduation. The school  
14 board or the technical college system board may waive any fee established under this  
15 subsection for any indigent pupil.

16 **SECTION 2142m.** 121.54 (3) of the statutes is amended to read:

17 121.54 (3) TRANSPORTATION FOR CHILDREN WITH DISABILITIES. Every school board  
18 shall provide transportation for children with disabilities, as defined in s. 115.76 (5),  
19 to any public or private elementary or high school, to the ~~Wisconsin school for the~~  
20 ~~visually handicapped~~ school operated by the Wisconsin Center for the Blind and  
21 Visually Impaired or the Wisconsin school School for the deaf Deaf or to any special  
22 education program for children with disabilities sponsored by a state tax-supported  
23 institution of higher education, including a technical college, regardless of distance,  
24 if the request for such transportation is approved by the state superintendent.  
25 Approval shall be based on whether or not the child can walk to school with safety

1 and comfort. Section 121.53 shall apply to transportation provided under this  
2 subsection.

3 **SECTION 2142d.** 121.58 (5) of the statutes is amended to read:

4 121.58 (5) STATE SUPERINTENDENT APPROVAL. If the state superintendent is  
5 satisfied that transportation or board and lodging was provided in compliance with  
6 law, the state superintendent shall certify to the department of administration the  
7 sum due the school district. The state superintendent may not certify payment of  
8 state aid under sub. (2) for the number of pupils calculated under s. 121.85 (6) (am).  
9 In case of differences concerning the character and sufficiency of the transportation  
10 or board and lodging, the state superintendent may determine such matter and his  
11 or her decision is final.

12 **SECTION 2142m.** 121.85 (6) (a) (intro.) of the statutes is amended to read:

13 121.85 (6) (a) *Intradistrict transfer.* (intro.) The Except as provided under pars.  
14 (am) and (ar), the school district of attendance of pupils transferring from one  
15 attendance area to another under subs. (3) (b) and (4) shall be entitled to an amount  
16 determined as follows:

17 **SECTION 2143.** 121.85 (6) (a) 2. of the statutes is amended to read:

18 121.85 (6) (a) 2. Multiply the number of transfer pupils, as counted for  
19 membership purposes under s. 121.004 (7), by 0.25.

20 **SECTION 2143m.** 121.85 (6) (am) of the statutes is created to read:

21 121.85 (6) (am) *Reduction of intradistrict transfer aid.* The school district  
22 operating under ch. 119 may not receive aid under par. (a) for the number of pupils  
23 calculated as follows, if the calculation results in a positive number:

24 1. In the 2000–01 school year:



- 1           a. Subtract from 75% the percentage of pupils whose parents or guardians have  
2 provided the board of school directors with written consent to a pupil transfer to  
3 another attendance area.
- 4           b. Multiply the result under subd. 1. a. by the total number of transfer pupils  
5 under par. (a) in the current school year.
- 6           2. In the 2001–02 school year:
- 7           a. Subtract from 80% the percentage of pupils whose parents or guardians have  
8 provided the board of school directors with written consent to a pupil transfer to  
9 another attendance area.
- 10          b. Multiply the result under subd. 2. a. by the total number of transfer pupils  
11 under par. (a) in the current school year.
- 12          3. In the 2002–03 school year:
- 13          a. Subtract from 90% the percentage of pupils whose parents or guardians have  
14 provided the board of school directors with written consent to a pupil transfer to  
15 another attendance area.
- 16          b. Multiply the result under subd. 3. a. by the total number of transfer pupils  
17 under par. (a) in the current school year.
- 18          4. In the 2003–04 school year:
- 19          a. Subtract from 95% the percentage of pupils whose parents or guardians have  
20 provided the board of school directors with written consent to a pupil transfer to  
21 another attendance area.
- 22          b. Multiply the result under subd. 4. a. by the total number of transfer pupils  
23 under par. (a) in the current school year.

1           5. In the 2004–05 school year and each school year thereafter, the number of  
2 pupils whose parents or guardians have not provided the board of school directors  
3 with written consent to a pupil transfer to another attendance area.

4           **SECTION 2143p.** 121.85 (6) (ar) of the statutes is created to read:

5           121.85 (6) (ar) *Hold harmless.* 1. In the 1999–2000 school year, the department  
6 shall pay to the school district operating under ch. 119 the greater of the following:

7           a. The amount of aid received in the 1998–99 school year under par. (a)  
8 multiplied by the sum of 1.0 plus the allowable rate of increase under s. 73.0305  
9 expressed as a decimal.

10          b. The amount of aid to which the school district is entitled under par. (a).

11          2. Except as provided in subd. 3., in the 2000–01 school year and in each school  
12 year thereafter, the department shall pay to the school district operating under ch.  
13 119 the greater of the following:

14          a. The amount of aid received in the 1998–99 school year under par. (a),  
15 adjusted annually for the school years since 1998–99 by the allowable rate of increase  
16 under s. 73.0305 as described under subd. 1. a., less the reduction under par. (am).

17          b. The amount of aid to which the school district is entitled under par. (a), less  
18 the reduction under par. (am).

19          3. a. If one or more bonds are issued under s. 66.431 (5r), subd. 2. does not apply  
20 beginning in the first fiscal year following certification by the secretary of  
21 administration to the department that the last principal and interest payment on the  
22 bonds has been made.

23          b. If no bonds are issued under s. 66.431 (5r) by the date specified in that  
24 section, subd. 2. does not apply beginning in the first fiscal year following that date.

25           **SECTION 2144.** 121.85 (6) (b) 1. of the statutes is repealed.

1           **SECTION 2145.** 121.85 (6) (f) of the statutes is repealed.

2           **SECTION 2146g.** 121.85 (6m) of the statutes is created to read:

3           121.85 (6m) USE OF AID FOR LEASE OR LOAN PAYMENTS. If the board of directors  
4 of the school district operating under ch. 119 leases buildings or sites from the  
5 redevelopment authority of the city or borrows money from the redevelopment  
6 authority of the city under s. 119.16 (3) (c), it may use intradistrict transfer aid under  
7 sub. (6) to <sup>check Δ</sup> make lease payments or repay the loan. If the board of school directors  
8 decides to use the aid to make lease payments or repay the loan, it may request the  
9 department to remit the intradistrict transfer aid under sub. (6) to the  
10 redevelopment authority of the city of Milwaukee in an annual amount agreed to by  
11 the board of school directors and the department, and the department shall ensure  
12 that the aid remittance does not affect the amount determined to be received by the  
13 board of school directors as state aid under s. 121.08 for any other purpose.

14           **SECTION 2146r.** 121.85 (7) of the statutes is amended to read:

15           121.85 (7) TRANSPORTATION. Transportation shall be provided to pupils  
16 transferring schools under this section if required under subch. IV. Transportation  
17 for a pupil attending a public school under sub. (3) (a) outside the pupil's school  
18 district of residence shall be provided pursuant to agreement between the school  
19 district of residence and the school district of attendance. If either the school district  
20 of residence or the school district of attendance operates a program of intradistrict  
21 transfers under sub. (3) (b), that school district shall be responsible for the cost of  
22 transportation. The school district may meet this responsibility either by  
23 contracting directly for provision of transportation or by reimbursing another school  
24 district for the cost of such a contract. Transportation for a pupil attending a public  
25 school under sub. (3) (b) outside his or her attendance area of residence may be

1 provided by his or her school district. A school district providing transportation  
2 under this subsection may not claim transportation aid under subch. IV for pupils  
3 so transported. A school district that transports a pupil who moves outside his or her  
4 attendance district during the school year to the school in the pupil's former  
5 attendance district may use intradistrict transfer aid under sub. (6) to pay the costs  
6 of transporting the pupil.

7 **SECTION 2146w.** 121.87 (3) of the statutes is created to read:

8 121.87 (3) In addition to the report under sub. (1), annually by May 1 the board  
9 of school directors of the school district operating under ch. 119 shall submit a report  
10 to the legislature under s. 13.172 (2) that specifies the number, percentage, race, sex,  
11 grade and attendance area of pupils transferred outside their attendance area  
12 without written consent under s. 121.85 (6) (am).

13 **SECTION 2146x.** 121.90 (1) (c) of the statutes is amended to read:

14 121.90 (1) (c) In determining a school district's revenue limit in the 2000-01  
15 school year, a number equal to 20% of the summer enrollment in 1998 shall be  
16 included in the number of pupils enrolled on the 3rd Friday of September 1998; a  
17 number equal to 20% of the summer enrollment in 1999 shall be included in the  
18 number of pupils enrolled on the 3rd Friday of September 1999; and a number equal  
19 to ~~20%~~ 40% of the summer enrollment in the year 2000 shall be included in the  
20 number of pupils enrolled on the 3rd Friday of September 2000.

21 **SECTION 2146y.** 121.90 (1) (d) of the statutes is repealed and recreated to read:

22 121.90 (1) (d) In determining a school district's revenue limit in the 2001-02  
23 school year, a number equal to 20% of the summer enrollment in the year 1999 shall  
24 be included in the number of pupils enrolled on the 3rd Friday of September 1999;  
25 a number equal to 40% of the summer enrollment in the year 2000 shall be included

1 in the number of pupils enrolled on the 3rd Friday of September 2000; and a number  
2 equal to 40% of the summer enrollment in the year 2001 shall be included in the  
3 number of pupils enrolled on the 3rd Friday of September 2001.

4 **SECTION 2146ym.** 121.90 (1) (dm) of the statutes is created to read:

5 121.90 (1) (dm) In determining a school district's revenue limit in the 2002-03  
6 school year, a number equal to 40% of the summer enrollment in the year 2000 shall  
7 be included in the number of pupils enrolled on the 3rd Friday of September 2000;  
8 a number equal to 40% of the summer enrollment in the year 2001 shall be included  
9 in the number of pupils enrolled on the 3rd Friday of September 2001; and a number  
10 equal to 40% of the summer enrollment in the year 2002 shall be included in the  
11 number of pupils enrolled on the 3rd Friday of September 2002.

12 **SECTION 2146z.** 121.90 (1) (dr) of the statutes is created to read:

13 121.90 (1) (dr) In determining a school district's revenue limit in the 2003-04  
14 school year and in each school year thereafter, a number equal to 40% of the summer  
15 enrollment shall be included in the number of pupils enrolled on the 3rd Friday of  
16 September of each appropriate school year.

17 **SECTION 2147.** 121.90 (1) (e) of the statutes is created to read:

18 121.90 (1) (e) In determining a school district's revenue limit for the 2000-01  
19 school year or for any school year thereafter, the department shall calculate the  
20 number of pupils enrolled in each school year prior to the 2000-01 school year as the  
21 number was calculated in that school year under s. 121.85 (6) (b) 1. and (f), 1997 stats.

22 **SECTION 2148.** 121.90 (2) (intro.) of the statutes is amended to read:

23 121.90 (2) (intro.) "State aid" means aid under ss. 121.08, 121.09 and 121.105  
24 and subch. VI, as calculated for the current school year on October 15 under s. 121.15

1 (4) and including adjustments made under s. 121.15 (4), except that “state aid”  
2 excludes all of the following:

3 **SECTION 2148m.** 121.905 (1) of the statutes is amended to read:

4 121.905 (1) In this section, “revenue ceiling” means ~~\$5,900~~ \$6,300 in the  
5 ~~1997-98~~ 1999-2000 school year and in any subsequent school year means ~~\$6,100~~  
6 \$6,500.

7 **SECTION 2149.** 121.905 (3) (a) 1. of the statutes is amended to read:

8 121.905 (3) (a) 1. Except as provided under subd. 2., calculate the sum of the  
9 amount of state aid received ~~under ss. 121.08 and 121.105 and subch. VI~~ in the  
10 previous school year and property taxes levied for the previous school year, excluding  
11 funds described under s. 121.91 (4) (c), and the costs of the county children with  
12 disabilities education board program, as defined in s. 121.135 (2) (a) 2., for pupils who  
13 were school district residents and solely enrolled in a special education program  
14 provided by a county children with disabilities education board in the previous school  
15 year.

16 **SECTION 2151.** 121.905 (4) of the statutes is renumbered 121.905 (4) (a) and  
17 amended to read:

18 121.905 (4) (a) A school district that is exempt from the revenue limits under  
19 sub. (2) may not increase its base revenue per member to an amount that is greater  
20 than its revenue ceiling ~~unless that~~.

21 (b) 1. A school district follows may increase its revenue ceiling by following the  
22 procedures prescribed in s. 121.91 (3).

23 **SECTION 2152.** 121.905 (4) (b) 2. of the statutes is created to read:

1            121.905 (4) (b) 2. The department shall, under s. 121.91 (4), adjust the revenue  
2 ceiling otherwise applicable to a school district under this section as if the revenue  
3 ceiling constituted a revenue limit under s. 121.91 (2m).

4            **SECTION 2153.** 121.91 (2m) (d) (intro.) of the statutes is amended to read:

5            121.91 (2m) (d) (intro.) Except as provided in subs. (3) and (4), no school district  
6 may increase its revenues for the 1998–99 school year ~~or for any school year~~  
7 ~~thereafter~~ to an amount that exceeds the amount calculated as follows:

8            **SECTION 2154.** 121.91 (2m) (e) of the statutes is renumbered 121.91 (2m) (r),  
9 and 121.91 (2m) (r) 1. (intro.) and b. and 2., as renumbered, are amended to read:

10            121.91 (2m) (r) 1. (intro.) Notwithstanding pars. (c) ~~and~~, (d) ~~and~~ (e), if a school  
11 district is created under s. 117.105, its revenue limit under this section for the school  
12 year beginning with the effective date of the reorganization shall be determined as  
13 follows except as provided under subs. (3) and (4):

14            b. Add \$206 an amount equal to the amount of revenue increase per pupil  
15 allowed under this subsection for the previous school year multiplied by the sum of  
16 1.0 plus the allowable rate of increase under s. 73.0305 expressed as a decimal to the  
17 result under subd. 1. a.

18            2. If a school district is created under s. 117.105, the following adjustments to  
19 the calculations under pars. (c) ~~and~~, (d) ~~and~~ (e) apply for the 2 school years beginning  
20 on the July 1 following the effective date of the reorganization:

21            a. For the school year beginning on the first July 1 following the effective date  
22 of the reorganization the number of pupils in the previous school year shall be used  
23 under pars. (c) 1. ~~and~~, (d) 1. ~~and~~ (e) 1. instead of the average of the number of pupils  
24 in the 3 previous school years, and for the school year beginning on the 2nd July 1  
25 following the effective date of the reorganization the average of the number of pupils

1 in the 2 previous school years shall be used under pars. (c) 1. ~~and~~, (d) 1. and (e) 1.  
2 instead of the average of the number of pupils in the 3 previous school years.

3 b. For the school year beginning on the first July 1 following the effective date  
4 of the reorganization the average of the number of pupils in the current and the  
5 previous school years shall be used under pars. (c) 4. ~~and~~, (d) 4. and (e) 3. instead of  
6 the average of the number of pupils in the current and the 2 preceding school years.

7 **SECTION 2155.** 121.91 (2m) (e) of the statutes is created to read:

8 121.91 (2m) (e) Except as provided in subs. (3) and (4), no school district may  
9 increase its revenues for the 1999–2000 school year or for any school year thereafter  
10 to an amount that exceeds the amount calculated as follows:

11 1. Divide the sum of the amount of state aid received in the previous school year  
12 and property taxes levied for the previous school year, excluding funds described  
13 under sub. (4) (c), by the average of the number of pupils enrolled in the 3 previous  
14 school years.

15 2. Multiply the amount of the revenue increase per pupil allowed under this  
16 subsection for the previous school year by the sum of 1.0 plus the allowable rate of  
17 increase under s. 73.0305 expressed as a decimal.

18 3. Add the result under subd. 1. to the result under subd. 2.

19 4. Multiply the result under subd. 3. by the average of the number of pupils  
20 enrolled in the current and the 2 preceding school years.

21 **SECTION 2157.** 121.91 (3) (d) of the statutes is renumbered 121.91 (7) and  
22 amended to read:

23 121.91 (7) If Except as provided in sub. (4) (f) 2., if an excess revenue is  
24 approved under this subsection sub. (3) for a recurring purpose or allowed under sub.  
25 (4), the excess revenue shall be included in the base for determining the limit for the



1 next school year for purposes of this section. If an excess revenue is approved under  
2 ~~this subsection sub. (3)~~ for a nonrecurring purpose, the excess revenue shall not be  
3 included in the base for determining the limit for the next school year for purposes  
4 of this section.

5 **SECTION 2158.** 121.91 (4) (f) of the statutes is amended to read:

6 121.91 (4) (f) 1. For the ~~1998-99~~ 1999-2000 school year or any school year  
7 thereafter, if the average of the number of pupils enrolled in the current and the 2  
8 preceding school years, ~~as calculated under sub. (2m) (d) 4.~~, is less than the average  
9 of the number of pupils enrolled in the 3 previous school years, ~~as calculated under~~  
10 ~~sub. (2m) (d) 1.~~, the limit otherwise applicable under sub. (2m) ~~(d)~~ (e) is increased by  
11 the additional amount that would have been calculated had the decline in average  
12 enrollment been 25% of what it was.

13 2. Any additional revenue received by a school district as a result of subd. 1.  
14 shall not be included in the base for determining the school district's limit under sub.  
15 (2m) ~~(d)~~ (e) for the following school year.

16 **SECTION 2158m.** 121.91 (4) (h) of the statutes is created to read:

17 121.91 (4) (h) The limit otherwise applicable to a school district under sub. (2m)  
18 in any school year is increased by an amount equal to the amount deposited into the  
19 capital improvement fund under s. 120.135 in that school year.

20 **SECTION 2159.** 121.92 (title) of the statutes is amended to read:

21 **121.92 (title) Penalty for exceeding revenue ceiling or limit.**

22 **SECTION 2160.** 121.92 (1) of the statutes is amended to read:

23 121.92 (1) In this section, "excess revenue" means the amount by which a school  
24 district's revenue exceeds ~~the maximum allowed~~ its ceiling under s. 121.905 or its  
25 limit under s. 121.91.

1           1. “Coliseum” means a multipurpose facility designed principally for sports  
2 events, with a capacity of 18,000 or more persons.

3           2. “Concessionaire” means a person designated by the owner or operator of a  
4 coliseum to operate premises in the coliseum and to provide fermented malt  
5 beverages to holders of coliseum suites.

6           (b) Notwithstanding s. 125.04 (3) (a) 3. and (9), a Class “B” license authorizes  
7 a person operating a coliseum or a concessionaire to furnish the holder of a coliseum  
8 suite who has attained the legal drinking age with a selection of fermented malt  
9 beverages in the coliseum suite that is not part of the Class “B” premises. Fermented  
10 malt beverages furnished under this paragraph shall be furnished in original  
11 packages or containers and stored in a cabinet, refrigerator or other secure storage  
12 place. The cabinet, refrigerator or other secure storage place or the coliseum suite  
13 must be capable of being locked. The cabinet, refrigerator or other secure storage  
14 place or the coliseum suite shall be locked, or the fermented malt beverages shall be  
15 removed from the coliseum suite, when the coliseum suite is not occupied and when  
16 fermented malt beverages are not being furnished under this paragraph. Fermented  
17 malt beverages may be furnished at the time the holder occupies the coliseum suite,  
18 but for purposes of this chapter, the sale of fermented malt beverages furnished  
19 under this paragraph is considered to occur at the time and place that the holder pays  
20 for the fermented malt beverages. Notwithstanding s. 125.32 (3), the holder of a  
21 coliseum suite may pay for the fermented malt beverages at any time if he or she pays  
22 in accordance with the terms of an agreement with the person operating the coliseum  
23 or with the concessionaire. An individual who stocks or accepts payment for alcohol  
24 beverages under this paragraph shall be the licensee, the agent named in the license

1           **SECTION 2161.** 121.92 (2) (a) of the statutes is amended to read:

2           121.92 (2) (a) Deduct from the state aid payment to a school district under s.  
3           121.08 in the school year in which the school district exceeded the revenue ceiling or  
4           limit an amount equal to the excess revenue for the school district or the amount of  
5           those aids, whichever is less.

6           **SECTION 2162.** 121.92 (2) (b) of the statutes is amended to read:

7           121.92 (2) (b) If the amount of the deduction under par. (a) is insufficient to  
8           cover the excess revenue, deduct from the other state aid payments to the school  
9           district in the school year in which the school district exceeded the revenue ceiling  
10          or limit an amount equal to the remaining excess revenue or the amount of those  
11          payments, whichever is less.

12          **SECTION 2163.** 121.92 (2) (e) of the statutes is amended to read:

13          121.92 (2) (e) Ensure that the amount of the excess revenue is not included in  
14          determining the school district's limits ceiling or limit in the succeeding school year.

15          **SECTION 2164r.** 125.12 (1) (a) of the statutes is amended to read:

16          125.12 (1) (a) Except as provided in par. (b) this subsection, any municipality  
17          or the department may revoke, suspend or refuse to renew any license or permit  
18          under this chapter, as provided in this section.

19          **SECTION 2164s.** 125.12 (1) (c) of the statutes is created to read:

20          125.12 (1) (c) Neither a municipality nor the department may consider an  
21          arrest or conviction for a violation punishable under s. 945.03 (2m), 945.04 (2m) or  
22          945.05 (1m) in any action to revoke, suspend or refuse to renew a Class "B" or "Class  
23          B" license or permit.

24          **SECTION 2165e.** 125.26 (2s) of the statutes is created to read:

25          125.26 (2s) (a) In this subsection:

1 if the licensee is a corporation or limited liability company or the holder of a  
2 manager's or operator's license or be supervised by one of those individuals.

3 **SECTION 2165j.** 125.51 (3) (bs) of the statutes is created to read:

4 125.51 (3) (bs) 1. In this paragraph:

5 a. "Coliseum" means a multipurpose facility designed principally for sports  
6 events, with a capacity of 18,000 or more persons.

7 b. "Concessionaire" means a person designated by the owner or operator of a  
8 coliseum to operate premises in the coliseum and to provide intoxicating liquor to  
9 holders of coliseum suites.

10 2. Notwithstanding pars. (a) and (b) and s. 125.04 (3) (a) 3. and (9), a "Class B"  
11 license authorizes a person operating a coliseum to furnish the holder of a coliseum  
12 suite who has attained the legal drinking age with a selection of intoxicating liquor  
13 in the coliseum suite that is not part of the "Class B" premises. Intoxicating liquor  
14 furnished under this subdivision shall be furnished in original packages or  
15 containers and stored in a cabinet, refrigerator or other secure storage place. The  
16 cabinet, refrigerator or other secure storage place or the coliseum suite must be  
17 capable of being locked. The cabinet, refrigerator or other secure storage place or the  
18 coliseum suit shall be locked, or the intoxicating liquor shall be removed from the  
19 coliseum suit, when the coliseum suit is not occupied and when intoxicating liquor  
20 is not being furnished under this subdivision. Intoxicating liquor may be furnished  
21 at the time the holder of the coliseum suite occupies the coliseum suite, but for  
22 purposes of this chapter, the sale of intoxicating liquor furnished under this  
23 subdivision is considered to occur at the time and place that the holder pays for the  
24 intoxicating liquor. Notwithstanding s. 125.68 (4) (c), the holder of a coliseum suite  
25 may pay for the intoxicating liquor at any time if he or she pays in accordance with

1 an agreement with the person operating the coliseum or with the concessionaire. An  
2 individual who stocks or accepts payment for alcohol beverages under this  
3 subdivision shall be the licensee, the agent named in the license if the licensee is a  
4 corporation or limited liability company or the holder of a manager's or operator's  
5 license or be supervised by one of those individuals.

6 **SECTION 2165m.** 125.51 (4) (v) 2. of the statutes is amended to read:

7 125.51 (4) (v) 2. A hotel that has ~~100~~ 50 or more rooms of sleeping  
8 accommodations and that has either an attached restaurant with a seating capacity  
9 of 150 or more persons or a banquet room in which banquets attended by 400 or more  
10 persons may be held.

11 **SECTION 2167m.** 134.48 of the statutes is created to read:

12 **134.48 Contracts for the display of free newspapers. (1) DEFINITIONS.**

13 In this section:

14 (a) "Newspaper" means a publication that is printed on newsprint and that is  
15 published, printed and distributed periodically at daily, weekly or other short  
16 intervals for the dissemination of current news and information of a general  
17 character and of a general interest to the public.

18 (b) "Place of public accommodation" means a business, accommodation,  
19 refreshment, entertainment, recreation or transportation facility where goods,  
20 services, facilities, privileges, advantages or accommodations are offered, sold or  
21 otherwise made available to the public.

22 (2) A contract for the display of a newspaper that is distributed free of charge  
23 to the public in a place of public accommodation may not prohibit the person  
24 displaying the newspaper for distribution from displaying any other newspaper that  
25 is distributed free of charge to the public. A provision in a contract that violates this

1 subsection is unenforceable, but does not affect the enforceability of the remaining  
2 provisions of the contract.

3 **SECTION 2165L.** 125.51 (3m) (c) of the statutes is amended to read:

4 125.51 (3m) (c) A "Class C" license may be issued to a person qualified under  
5 s. 125.04 (5) for a restaurant in which the sale of alcohol beverages accounts for less  
6 than 50% of gross receipts and which does not have a barroom ~~if the municipality's~~  
7 ~~quota under sub. (4) prohibits the municipality from issuing a "Class B" license to~~  
8 ~~that person or for a restaurant in which the sale of alcohol beverages accounts for less~~  
9 ~~than 50% of gross receipts and which has a barroom in which wine is the only~~  
10 intoxicating liquor sold. A "Class C" license may not be issued to a foreign  
11 corporation, a foreign limited liability company or a person acting as agent for or in  
12 the employ of another.

13 **SECTION 2166a.** 138.052 (5) (am) 2. a. of the statutes is amended to read:

14 138.052 (5) (am) 2. a. On January 1, 1994, and annually thereafter, the division  
15 of banking for banks, the division of savings and loan institutions for savings and  
16 loan associations and savings banks and the office of credit unions for credit unions  
17 shall determine the interest rate that is the average of the interest rates paid,  
18 rounded to the nearest one-hundredth of a percent, on regular passbook deposit  
19 accounts by institutions under the division's or office's jurisdiction at the close of the  
20 last quarterly reporting period that ended at least 30 days before the determination  
21 is made.

22 **SECTION 2168a.** 138.055 (4) (a) of the statutes is amended to read:

23 138.055 (4) (a) The division of savings and loan institutions, if the lender is a  
24 savings and loan association or savings bank;

25 **SECTION 2169a.** 138.056 (1) (a) 4. a. of the statutes is amended to read:

1           138.056 (1) (a) 4. a. The division of savings ~~and loan~~ institutions, if the lender  
2 is a savings and loan association or savings bank;

3           **SECTION 2167a.** 138.052 (5) (am) 2. b. of the statutes is amended to read:

4           138.052 (5) (am) 2. b. The office of credit unions and the division of banking  
5 shall report the rate calculated to the division of savings ~~and loan~~ institutions within  
6 5 days after the date on which the determination is made. The division of savings  
7 ~~and loan~~ institutions shall calculate the average, rounded to the nearest  
8 one-hundredth of a percent, of the 3 rates and report that interest rate to the revisor  
9 of statutes within 5 days after the date on which the determination is made.

10          **SECTION 2167x.** 134.73 of the statutes is created to read:

11          **134.73 Identification of prisoner making telephone solicitation. (1)**

12          DEFINITIONS. In this section:

13          (a) “Contribution” has the meaning given in s. 440.41 (5).

14          (b) “Prisoner” means a prisoner of any public or private correctional or  
15 detention facility that is located within or outside this state.

16          (c) “Solicit” has the meaning given in s. 440.41 (8).

17          (d) “Telephone solicitation” means the unsolicited initiation of a telephone  
18 conversation for any of the following purposes:

19               1. To encourage a person to purchase property, goods or services.

20               2. To solicit a contribution from a person.

21               3. To conduct an opinion poll or survey.

22          **(2) REQUIREMENTS.** A prisoner who makes a telephone solicitation shall do all  
23 of the following immediately after the person called answers the telephone:

24               (a) Identify himself or herself by name.

25               (b) State that he or she is a prisoner.

1 (c) Inform the person called of the name of the correctional or detention facility  
2 in which he or she is a prisoner and the city and state in which the facility is located.

3 (3) TERRITORIAL APPLICATION. (a) *Intrastate*. This section applies to any  
4 intrastate telephone solicitation.

5 (b) *Interstate*. This section applies to any interstate telephone solicitation  
6 received by a person in this state.

7 (4) PENALTIES. (a) A prisoner who violates this section may be required to forfeit  
8 not more than \$500.

9 (b) If a person who employes a prisoner to engage in telephone solicitation is  
10 concerned in the commission of a violation of this section as provided under s. 134.99,  
11 the person may be required to forfeit not more than \$10,000.

12 **SECTION 2167z.** 134.95 (2) of the statutes is amended to read:

13 134.95 (2) SUPPLEMENTAL FORFEITURE. If a fine or a forfeiture is imposed on a  
14 person for a violation under s. 100.171, 100.173, 100.174, 100.175, 100.177, 134.71,  
15 134.72, 134.73 or 134.87 or ch. 136 or a rule promulgated under these sections or that  
16 chapter, the person shall be subject to a supplemental forfeiture not to exceed  
17 \$10,000 for that violation if the conduct by the defendant, for which the fine or  
18 forfeiture was imposed, was perpetrated against an elderly person or disabled person  
19 and if any of the factors under s. 100.264 (2) (a), (b) or (c) is present.

20 **SECTION 2166e.** 135.02 (3) of the statutes is renumbered 135.02 (3) (intro.) and  
21 amended to read:

22 135.02 (3) (intro.) “Dealership” means a any of the following:

23 (a) A contract or agreement, either expressed or implied, whether oral or  
24 written, between 2 or more persons, by which a person is granted the right to sell or  
25 distribute goods or services, or use a trade name, trademark, service mark, logotype,



1 advertising or other commercial symbol, in which there is a community of interest  
2 in the business of offering, selling or distributing goods or services at wholesale,  
3 retail, by lease, agreement or otherwise.

4 **SECTION 2166m.** 135.02 (3) (b) of the statutes is created to read:

5 135.02 (3) (b) A contract or agreement, either expressed or implied, whether  
6 oral or written, between 2 or more persons by which a wholesaler, as defined in s.  
7 125.02 (21), is granted the right to sell or distribute intoxicating liquor, as defined  
8 in s. 125.02 (8), or use a trade name, trademark, service mark, logotype, advertising  
9 or other commercial symbol related to intoxicating liquor. This paragraph does not  
10 apply to dealerships described in s. 135.066 (5) (a) and (b).

11 **SECTION 2166s.** 135.066 of the statutes is created to read:

12 **135.066 Intoxicating liquor dealerships. (1) LEGISLATIVE FINDINGS.** The  
13 legislature finds that a balanced and healthy 3-tier system for distributing  
14 intoxicating liquor is in the best interest of this state and its citizens; that the 3-tier  
15 system for distributing intoxicating liquor has existed since the 1930's; that a  
16 balanced and healthy 3-tier system ensures a level system between the  
17 manufacturer and wholesale tiers; that a wholesale tier consisting of numerous  
18 healthy competitors is necessary for a balanced and healthy 3-tier system; that the  
19 number of intoxicating liquor wholesalers in this state is in significant decline; that  
20 this decline threatens the health and stability of the wholesale tier; that the  
21 regulation of all intoxicating liquor dealerships, regardless of when they were  
22 entered into, is necessary to promote and maintain a wholesale tier consisting of  
23 numerous healthy competitors; and that the maintenance and promotion of the  
24 3-tier system will promote the public health, safety and welfare. The legislature  
25 further finds that a stable and healthy wholesale tier provides an efficient and

1 effective means for tax collection. The legislature further finds that dealerships  
2 between intoxicating liquor wholesalers and manufacturers have been subject to  
3 state regulation since the enactment of the 21st Amendment to the U.S. Constitution  
4 and that the parties to those dealerships expect changes to state legislation  
5 regarding those dealerships.

6 (2) DEFINITIONS. In this section:

7 (a) "Intoxicating liquor" has the meaning given in s. 125.02 (8).

8 (b) "Net revenues" means the gross dollar amount received from the sale of  
9 intoxicating liquor minus adjustments for returns, discounts and allowances.

10 (c) "Wholesaler" has the meaning given in s. 125.02 (21).

11 (d) "Wine" has the meaning given in 125.02 (22).

12 (3) LIABILITY OF TRANSFEREE OF INTOXICATING LIQUOR GRANTOR. (a) In this  
13 subsection:

14 1. "Goodwill" includes the use of a trademark, trade name, logotype or other  
15 commercial symbol, and the use of a variation of a trademark, trade name, logotype,  
16 advertisement or other commercial symbol.

17 2. "Transferee" means a person who acquires any asset or activity of a grantor's  
18 intoxicating liquor business and who uses the goodwill associated with the  
19 intoxicating liquor of the grantor.

20 (b) A transferee shall be bound by each of the grantor's dealerships with the  
21 grantor's wholesalers and consequently shall be considered a grantor for purposes  
22 of, and shall comply with, the requirements of this chapter.

23 (4) CHANGE IN OWNERSHIP. (a) In this subsection, "successor wholesaler" means  
24 a wholesaler who succeeds to the management, ownership or control of a wholesaler  
25 or wholesaler's business or any part of a wholesaler's business by any means

1 including by stock purchase, sale of assets or transfer or assignment of a brand of  
2 intoxicating liquor that is the subject of a dealership agreement.

3 (b) A change in the management, ownership or control of a wholesaler, a  
4 wholesaler's business or any part of a wholesaler's business is not good cause for a  
5 grantor to terminate, cancel, fail to renew or substantially change the competitive  
6 circumstances of its dealership with a successor wholesaler if the successor  
7 wholesaler meets the grantor's reasonable and material qualifications for  
8 wholesaler applicants in effect at the time of the change. If the successor wholesaler  
9 meets the grantor's reasonable and material qualifications for wholesaler applicants  
10 in effect at the time of the change, the successor wholesaler shall succeed to the  
11 dealership rights of the predecessor wholesaler and the grantor shall continue to be  
12 bound by the dealership.

13 (5) NONAPPLICABILITY. This section does not apply to any of the following  
14 dealerships:

15 (a) Dealerships in which a grantor, including any affiliate, division or  
16 subsidiary of the grantor, has never produced more than 200,000 gallons of  
17 intoxicating liquor in any year.

18 (b) Dealerships in which the dealer's net revenues from the sale of all of the  
19 grantor's brands of intoxicating liquor, except wine, constitute less than 5% of the  
20 dealer's total net revenues from the sale of intoxicating liquor, except wine, during  
21 the dealer's most recent fiscal year preceding a grantor's cancellation or alteration  
22 of a dealership and the dealer's net revenues from the sale of all of the grantor's  
23 brands of wine constitute less than 5% of the dealer's total net revenues from the sale  
24 of wine during the dealer's most recent fiscal year preceding a grantor's cancellation  
25 or alteration of a dealership.

1           **(6) SEVERABILITY.** The provisions of this section are severable as provided in s.  
2 990.001 (11).

3           **SECTION 2165m.** 134.66 (2) (a) of the statutes is amended to read:

4           **134.66 (2) (a)** No retailer, manufacturer, distributor, jobber or subjobber, no  
5 agcnt, employe or independent contractor of a retailer, manufacturer, distributor,  
6 jobber or subjobber and no agent or employe of an independent contractor may sell  
7 or provide for nominal or no consideration cigarettes or tobacco products to any  
8 person under the age of 18, except as provided in s. ~~938.983 (3)~~ 254.92 (2) (a). A  
9 vending machine operator is not liable under this paragraph for the purchase of  
10 cigarettes or tobacco products from his or her vending machine by a person under the  
11 age of 18 if the vending machine operator was unaware of the purchase.

12           **SECTION 2165n.** 134.66 (2) (b) 1. of the statutes is amended to read:

13           **134.66 (2) (b) 1.** A retailer shall post a sign in areas within his or her premises  
14 where cigarettes or tobacco products are sold to consumers stating that the sale of  
15 any cigarette or tobacco product to a person under the age of 18 is unlawful under  
16 this section and s. ~~938.983~~ 254.92.

17           **SECTION 2165p.** 134.66 (2) (b) 2. of the statutes is amended to read:

18           **134.66 (2) (b) 2.** A vending machine operator shall attach a notice in a  
19 conspicuous place on the front of his or her vending machines stating that the  
20 purchase of any cigarette or tobacco product by a person under the age of 18 is  
21 unlawful under s. ~~938.983~~ 254.92 and that the purchaser is subject to a forfeiture of  
22 not to exceed \$25.

23           **SECTION 2169g.** 138.056 (1) (b) of the statutes is amended to read:

24           **138.056 (1) (b)** "Dwelling" includes a cooperative housing unit and a mobile  
25 home, as defined in s. ~~218.10 (2)~~ 101.91 (2e).