

SENATE BILL 55

1 (bm) The secretary and or any deputy may, at all any reasonable hours time,
2 enter the interior of a private dwellings dwelling at the request of the owner or renter
3 for the purpose of s. 101.145 (6) or 101.645 (4) verifying the proper installation and
4 maintenance of fire suppression devices and fire detection devices.

5 *~~0676/2.8~~* SECTION 2453. 101.14 (1) (c) of the statutes is renumbered 101.14
6 (3) (b) and amended to read:

7 101.14 (3) (b) The department is ~~hereby empowered and directed to~~ shall
8 provide the form of a course of study in fire prevention for use in the public schools,
9 dealing. The course of study shall deal with the protection of lives and property
10 against loss or damage as a result of preventable fires, and. The department shall
11 transmit the same by the first day of August in each year form of the course of study
12 to the state superintendent of public instruction no later than August 1 of each year.

13 *~~0676/2.9~~* SECTION 2454. 101.14 (2) (title) of the statutes is created to read:

14 101.14 (2) (title) AUTHORITY AND DUTIES OF LOCAL GOVERNMENTS AND THEIR
15 AGENTS AND CONTRACTORS.

16 *~~0676/2.10~~* SECTION 2455. 101.14 (2) (a) of the statutes is amended to read:

17 101.14 (2) (a) Each city, village, and town shall ensure that all duties
18 established under this subsection are carried out in the city, village, or town. The
19 chief of the fire department in every each city, village, or town, ~~except cities of the 1st~~
20 class other than a 1st class city, is constituted a deputy of the department, subject
21 to the right of the department to relieve ~~any such~~ the chief from his or her duties as
22 ~~such a~~ deputy for cause, and, upon ~~such the~~ suspension, to appoint some other person
23 to perform the duty imposed upon ~~such the~~ deputy. The In a 1st class city, the
24 department may appoint either the chief of the fire department or the building
25 inspector as ~~its the~~ the department's deputy ~~in cities of the 1st class.~~

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SECTION 2456

1 ***-0676/2.11*** SECTION 2456. 101.14 (2) (e) of the statutes is amended to read:

2 101.14 (2) (e) Written reports of inspection shall be made and kept on file by
3 the local authority having with jurisdiction to conduct inspections, or its designee,
4 in the manner and form required by the department.

5 ***-0676/2.12*** SECTION 2457. 101.14 (2) (f) of the statutes is renumbered 101.14
6 (1) (cm) and amended to read:

7 101.14 (1) (cm) Every inspection required under ~~pars. sub. (2)~~ (b) and (c) is
8 subject to the supervision and direction of the department, ~~which shall, after audit,~~
9 ~~certify to the commissioner of insurance after the expiration of each calendar year~~
10 ~~each city, village or town where the inspections for the year have been made, and~~
11 ~~where records have been made and kept on file as required under par. (e).~~

12 ***-0676/2.13*** SECTION 2458. 101.14 (3) (title) of the statutes is created to read:
13 101.14 (3) (title) EDUCATION AND TRAINING.

14 ***-0676/2.14*** SECTION 2459. 101.14 (3) of the statutes is renumbered 101.14
15 (3) (a).

16 ***-0676/2.15*** SECTION 2460. 101.14 (4) (title) of the statutes is created to read:

17 101.14 (4) (title) FIRE DETECTION, PREVENTION, AND SUPPRESSION DEVICES IN
18 PLACES OF EMPLOYMENT AND PUBLIC BUILDINGS.

19 ***-0676/2.16*** SECTION 2461. 101.14 (4m) (title) of the statutes is created to
20 read:

21 101.14 (4m) (title) FIRE SUPPRESSION IN MULTIFAMILY DWELLINGS.

22 ***-0676/2.17*** SECTION 2462. 101.14 (5) (title) of the statutes is created to read:

23 101.14 (5) (title) GROUNDWATER FEE.

24 ***-0676/2.18*** SECTION 2463. 101.141 of the statutes is amended to read:

SENATE BILL 55**SECTION 2463**

1 **101.141 Record keeping and reporting of fires.** ~~The department~~ Each fire
2 department shall maintain records a record of all fires occurring in this state. ~~Such~~
3 ~~records shall be~~ within the territory served by the fire department. The record shall
4 be open to public inspection during normal business hours under s. 19.35 and, for the
5 purposes of a record maintained under this section, the fire department maintaining
6 the record shall be considered an authority under s. 19.32 (1). This section does not
7 limit the number of persons that qualify as an authority under s. 19.32 (1). The
8 department of commerce, by rule, may require a fire department to provide the
9 department of commerce with any information maintained under this section.

10 *–1815/7.1* **SECTION 2464.** 101.143 (1) (ce) of the statutes is created to read:

11 101.143 (1) (ce) “High-cost site” means the site of a discharge of a petroleum
12 product from a petroleum storage tank at which more than \$200,000 in eligible costs
13 under this section have been incurred.

14 *–1815/7.2* **SECTION 2465.** 101.143 (2e) (c) of the statutes is amended to read:

15 101.143 (2e) (c) The department of natural resources or, if the discharge is
16 covered under s. 101.144 (2) (b) or (c), the department of commerce shall apply the
17 method in the rules promulgated under par. (b) to determine the risk posed by a
18 discharge for which the department of commerce receives notification under sub. (3)
19 (a) 3.

20 *–1815/7.3* **SECTION 2466.** 101.143 (3) (c) 4. of the statutes is amended to read:

21 101.143 (3) (c) 4. Receive written approval from the department of natural
22 resources or, if the discharge is covered under s. 101.144 (2) (b) or (c), from the
23 department of commerce that the remedial action activities performed under subd.
24 3. meet the requirements of s. 292.11.

25 *–1815/7.4* **SECTION 2467.** 101.143 (3) (cm) of the statutes is amended to read:

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1 101.143 (3) (cm) *Monitoring as remedial action.* An owner or operator or person
2 owning a home oil tank system may, with the approval of the department of natural
3 resources or, if the discharge is covered under s. 101.144 (2) (b) or (c), the department
4 of commerce, satisfy the requirements of par. (c) 2. and 3. by proposing and
5 implementing monitoring to ensure the effectiveness of natural attenuation of
6 petroleum product contamination.

7 ***-1815/7.5*** **SECTION 2468.** 101.143 (3) (d) of the statutes is amended to read:

8 101.143 (3) (d) *Final review of remedial action activities.* The department of
9 natural resources or, if the discharge is covered under s. 101.144 (2) (b) or (c), the
10 department of commerce shall complete a final review of the remedial action
11 activities within 60 days after the claimant notifies the appropriate department that
12 the remedial action activities are completed.

13 ***-0662/3.1*** **SECTION 2469.** 101.143 (4) (a) 6. of the statutes is amended to read:

14 101.143 (4) (a) 6. In any fiscal year, the department may not award more than
15 5% of the amount appropriated under s. 20.143 (3) (v) as awards for petroleum
16 product storage systems described in par. (ei) 1.

17 ***-1815/7.6*** **SECTION 2470.** 101.143 (4) (b) (intro.) of the statutes is amended
18 to read:

19 101.143 (4) (b) *Eligible costs.* (intro.) Except as provided in par. (c) or (cc),
20 eligible costs for an award under par. (a) include actual costs or, if the department
21 establishes a usual and customary cost under par. (cm) for an item, usual and
22 customary costs for the following items:

23 ***-1815/7.7*** **SECTION 2471.** 101.143 (4) (cc) of the statutes is created to read:

24 101.143 (4) (cc) *Ineligibility for interest reimbursement.* 1. a. Except as
25 provided in subd. 2., if an applicant's final claim is submitted more than 60 days after

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1 receiving written notification that no further remedial action is necessary with
2 respect to the discharge, interest costs incurred by the applicant after the 60th day
3 after receiving that notification are not eligible costs.

4 b. Except as provided in subd. 2. or 3., if the remedial action activities for an
5 applicant's site are not completed by the first day of the 121st month after the
6 investigation under sub. (3) (c) 1. is completed, interest costs incurred by the
7 applicant after that day are not eligible costs.

8 c. Except as provided in subd. 2., if an applicant does not complete the
9 investigation of the petroleum product discharge by the first day of the 61st month
10 after the month in which the applicant notified the department under sub. (3) (a) 3.
11 or the first day of the 25th month beginning after the effective date of subd. 1. a.,
12 whichever is later, interest costs incurred by the applicant after the later of those
13 days are not eligible costs.

14 2. Subdivision 1. or 3. does not apply to any of the following:

15 a. An applicant that is a local unit of government, if federal or state financial
16 assistance other than under this section, has been provided for that expansion or
17 redevelopment.

18 b. An applicant that is engaged in the expansion or redevelopment of
19 brownfields, as defined in s. 560.13 (1) (a), if federal or state financial assistance
20 other than under this section, has been provided for that expansion or
21 redevelopment.

22 3. Except as provided in subd. 2., for a category one high-cost site, as defined
23 in sub. (12) (a) 1., if the first day of the 121st month after the investigation under sub.
24 (3) (c) 1. is completed is before December 1, 2006, subd. 1. b. does not apply, and
25 interest costs incurred by the applicant after December 1, 2006, are ineligible costs.

SENATE BILL 55**SECTION 2472**

1 ***-0662/3.2*** **SECTION 2472.** 101.143 (4) (d) 2. c. of the statutes is amended to
2 read:

3 101.143 (4) (d) 2. c. For an owner or operator of a petroleum product storage
4 system described in par. (ei) ~~1~~, \$100,000.

5 ***-0662/3.3*** **SECTION 2473.** 101.143 (4) (dm) 2. c. of the statutes is amended to
6 read:

7 101.143 (4) (dm) 2. c. For the owner or operator of a petroleum product storage
8 system that is described in par. (ei) ~~1~~, \$2,500 plus 5% of eligible costs per occurrence.

9 ***-0662/3.4*** **SECTION 2474.** 101.143 (4) (dm) 3. c. of the statutes is amended to
10 read:

11 101.143 (4) (dm) 3. c. For an owner or operator of a petroleum product storage
12 system described in par. (ei) ~~1~~, \$100,000.

13 ***-0662/3.5*** **SECTION 2475.** 101.143 (4) (e) 2. of the statutes is amended to read:

14 101.143 (4) (e) 2. The department shall issue the award under this paragraph
15 without regard to fault in an amount equal to the amount of the eligible costs that
16 exceeds a deductible amount of \$10,000, except that the deductible amount for a
17 petroleum product storage system that is owned by a school district or a technical
18 college district and that is used for storing heating oil for consumptive use on the
19 premises where stored is 25% of eligible costs and except that the deductible for a
20 petroleum product storage system that is described in par. (ei) ~~1~~ is \$2,500 plus 5%
21 of the eligible costs, but not more than \$7,500 per occurrence without regard to when
22 the eligible costs are incurred.

23 ***-0662/3.6*** **SECTION 2476.** 101.143 (4) (e) 2m. of the statutes is amended to
24 read:

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1 101.143 (4) (e) 2m. An award issued under this paragraph may not exceed
2 \$190,000 for each occurrence, except that an award under this paragraph to the
3 owner or operator of a petroleum product storage system described in par. (ei) 1. may
4 not exceed \$100,000 per occurrence.

5 *~~0662/3.7~~* **SECTION 2477.** 101.143 (4) (ei) 1. (intro.) of the statutes is
6 renumbered 101.143 (4) (ei) (intro.).

7 *~~0662/3.8~~* **SECTION 2478.** 101.143 (4) (ei) 1. a. of the statutes is renumbered
8 101.143 (4) (ei) 1m. a. and amended to read:

9 101.143 (4) (ei) 1m. a. The owner or operator of the farm tank owns a parcel
10 of 35 or more acres of contiguous land, on which the farm tank is located, which is
11 devoted primarily to agricultural use, as defined in s. 91.01 (1), including land
12 designated by the department of natural resources as part of the ice age trail under
13 s. 23.17, which during the year preceding submission of a first claim under sub. (3)
14 produced gross farm profits, as defined in s. 71.58 (4), of not less than \$6,000 or
15 which, during the 3 years preceding that submission produced gross farm profits, as
16 defined in s. 71.58 (4), of not less than \$18,000, or a parcel of 35 or more acres, on
17 which the farm tank is located, of which at least 35 acres, during part or all of the
18 year preceding that submission, were enrolled in the conservation reserve program
19 under 16 USC 3831 to 3836.

20 *~~0662/3.9~~* **SECTION 2479.** 101.143 (4) (ei) 1. b. of the statutes is renumbered
21 101.143 (4) (ei) 2m.

22 *~~0662/3.10~~* **SECTION 2480.** 101.143 (4) (ei) 1m. (intro.) of the statutes is
23 created to read:

24 101.143 (4) (ei) 1m. (intro.) One of the following conditions is satisfied:

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1 ***-0662/3.11*** **SECTION 2481.** 101.143 (4) (ei) 1m. b. of the statutes is created to
2 read:

3 101.143 (4) (ei) 1m. b. Within 12 months before the owner or operator of the
4 farm tank submits a first claim under sub. (3), the owner or operator of the farm tank
5 owned a parcel of 35 or more acres of contiguous land, on which the farm tank is
6 located, which was devoted primarily to agricultural use, as defined in s. 91.01 (1),
7 including land designated by the department of natural resources as part of the ice
8 age trail under s. 23.17, which during the year preceding the transfer of the parcel
9 to another person produced gross farm profits, as defined in s. 71.58 (4), of not less
10 than \$6,000 or which, during the 3 years preceding that transfer produced gross farm
11 profits, as defined in s. 71.58 (4), of not less than \$18,000, or a parcel of 35 or more
12 acres, on which the farm tank is located, of which at least 35 acres, during part or
13 all of the year preceding the transfer of the parcel to another person, were enrolled
14 in the conservation reserve program under 16 USC 3831 to 3836.

15 ***-0662/3.12*** **SECTION 2482.** 101.143 (4) (ei) 2. of the statutes is renumbered
16 101.143 (4) (a) 5m. and amended to read:

17 101.143 (4) (a) 5m. The department shall review claims related to discharges
18 from farm tanks described in ~~subd. 1. par. (ei)~~ as soon as the claims are received. The
19 department shall issue an award for an eligible discharge from a farm tank described
20 in ~~subd. 1. par. (ei)~~ as soon as it completes the review of the claim.

21 ***-0665/1.2*** **SECTION 2483.** 101.143 (6) (b) of the statutes is amended to read:

22 101.143 (6) (b) The department, ~~after consultation with the petroleum storage~~
23 ~~environmental cleanup council,~~ shall determine whether proof of financial
24 responsibility submitted under par. (a) satisfies par. (a).

25 ***-0665/1.3*** **SECTION 2484.** 101.143 (8) of the statutes is repealed.

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1 *–1815/7.8* **SECTION 2485.** 101.143 (9m) (g) 2. of the statutes is amended to
2 read:

3 101.143 **(9m)** (g) 2. Revenue obligations issued under this subsection may not
4 exceed ~~\$270,000,000~~ \$370,000,000 in principal amount. In addition to this limit on
5 principal amount, the building commission may contract revenue obligations under
6 this subsection as the building commission determines is desirable to fund or refund
7 outstanding revenue obligations, to pay issuance or administrative expenses, to
8 make deposits to reserve funds, or to pay accrued or capitalized interest.

9 *–1815/7.9* **SECTION 2486.** 101.143 (12) of the statutes is created to read:

10 101.143 **(12)** HIGH-COST SITES. (a) In this subsection:

11 1. “Category one high-cost site” means a site of a discharge that is a high-cost
12 site on November 30, 2001, for which written approval under sub. (3) (c) 4. has not
13 been issued on or before that date.

14 2. “Category 2 high-cost site” means a site of a discharge that becomes a
15 high-cost site after November 30, 2001, for which written approval under sub. (3) (c)
16 4. has not been issued, if either more than \$400,000 in eligible costs under this
17 section have been incurred for the site or remedial action activities for the site have
18 not been completed within 7 years after the investigation under sub. (3) (c) 1. is
19 completed.

20 (b) Except as provided in par. (d), the department of natural resources shall
21 oversee remedial action activities for category one high-cost sites, other than
22 category one high-cost sites over which the department of commerce has jurisdiction
23 under s. 101.144 (2), so that remedial action activities are completed for at least 15%
24 of those sites in each 12-month period and that remedial action activities are

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1 completed for each of those sites no later than December 1, 2006, or the last day of
2 the 120th month after the site investigation is completed, whichever is later.

3 (c) Except as provided in par. (d), the department of commerce shall do all of
4 the following:

5 1. Oversee remedial action activities for category one high-cost sites over
6 which the department has jurisdiction under s. 101.144 (2) so that remedial action
7 activities are completed for at least 15% of those sites in each 12-month period and
8 that remedial action activities are completed for each of those sites no later than
9 December 1, 2006, or the last day of the 120th month after the site investigation is
10 completed, whichever is later.

11 2. Oversee remedial action activities for each category 2 high-cost site so that
12 remedial action activities are completed within 36 months after the site first becomes
13 a category 2 high-cost site.

14 (d) Paragraphs (b) and (c) do not apply to any of the following:

15 1. A site for which the person conducting the remedial action activities is a local
16 unit of government, if federal or state financial assistance, other than under this
17 section, has been provided for that expansion or redevelopment.

18 2. A site for which the person conducting the remedial action activities is
19 engaged in the expansion or redevelopment of brownfields, as defined in s. 560.13 (1)
20 (a), if federal or state financial assistance, other than under this section, has been
21 provided for that expansion or redevelopment.

22 *~~1815/7.10~~* **SECTION 2487.** 101.144 (2) (a) of the statutes is amended to read:

23 101.144 (2) (a) The department shall administer a program under which
24 responsible persons investigate, and take remedial action in response to, those
25 discharges of petroleum products from petroleum storage tanks that are covered

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1 under par. (b) or (c). The department may issue an order requiring a responsible
2 person to take remedial action in response to a discharge of a petroleum product from
3 a petroleum storage tank if the discharge is covered under par. (b) or (c). In
4 administering this section, the department shall follow rules promulgated by the
5 department of natural resources for the cleanup of discharges of hazardous
6 substances.

7 ***-1815/7.11* SECTION 2488.** 101.144 (2) (c) of the statutes is created to read:

8 101.144 (2) (c) The program under this section covers a discharge of a
9 petroleum product from a petroleum storage tank if the site of the discharge is a
10 category 2 high-cost site, as defined in s. 101.143 (12) (a) 2.

11 ***-1815/7.12* SECTION 2489.** 101.144 (3) (intro.) of the statutes is amended to
12 read:

13 101.144 (3) (intro.) The department of natural resources may take action under
14 s. 292.11 (7) (a) or may issue an order under s. 292.11 (7) (c) in response to a discharge
15 that is covered under sub. (2) (b) or (c) only if one or more of the following apply:

16 ***-0664/2.3* SECTION 2490.** 101.19 (1) (b) of the statutes is amended to read:

17 101.19 (1) (b) The required inspection of boilers, pressure vessels, refrigeration
18 plants, ~~petroleum~~ and liquefied petroleum gas vessels, anhydrous ammonia tanks
19 and containers, elevators, ski towing and lift devices, escalators, dumbwaiters, and
20 amusement or thrill rides but not of amusement attractions.

21 ***-0676/2.19* SECTION 2491.** 101.573 (title) of the statutes is repealed and
22 recreated to read:

23 **101.573 (title) Distribution of fire department dues.**

24 ***-0676/2.20* SECTION 2492.** 101.573 (1) of the statutes is repealed.

25 ***-0676/2.21* SECTION 2493.** 101.573 (3) of the statutes is amended to read:

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1 101.573 (3) DETERMINATION AND DISTRIBUTION OF FIRE DEPARTMENT DUES. (a) ~~On~~
2 ~~or before~~ No later than May 1 ~~in~~ 15 of each year, the department shall compile the
3 total of all fire department dues paid by all insurers under s. 601.93 ~~and the dues paid~~
4 ~~by the state fire fund under sub. (1) and funds~~ together with any balance remaining
5 under par. (b), and the amount charged to the property insurance fund under s.
6 604.04 (3) (b). ~~The department shall withhold .5% and certify to the state treasurer~~
7 ~~the proper~~ from this total for use under par. (b) and shall determine the amount to
8 ~~be paid from the appropriation under s. 20.143 (3) (L)~~ balance to each city, village,
9 or town entitled to fire department dues under s. 101.575. ~~Annually, on or before~~ No
10 later than August 1 of each year, ~~the state treasurer~~ department shall pay the
11 amounts certified by the department to the cities, villages and towns eligible under
12 ~~s. 101.575~~ proper amount under s. 101.575 to each city, village, and town that is
13 entitled to fire department dues.

14 (b) The amount withheld under par. (a) shall be disbursed to correct ~~errors~~ any
15 error of the department or of the commissioner of insurance or ~~for payments to cities,~~
16 ~~villages or towns which are~~ to make a payment to any city, village, or town that is first
17 ~~determined to be eligible for payments under par. (a)~~ entitled to fire department dues
18 under s. 101.575 after May 1 15. The department shall ~~certify to the state treasurer~~
19 pay to each applicable city, village, or town, as near as is practical, the amount ~~which~~
20 that would have been payable to the ~~municipality~~ city, village, or town if payment
21 had been properly disbursed under par. (a) on or ~~prior to~~ before May 1 15, except that
22 the amount payable to any ~~municipality~~ city, village, or town that is first eligible
23 determined to be entitled to fire department dues after May 1 15 shall be reduced by
24 1.5% for each month or portion of a month ~~which~~ that expires after May 1 15 and ~~prior~~
25 ~~to~~ before the eligibility determination. ~~The state treasurer shall pay the amount~~

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1 ~~certified to the city, village or town.~~ The department shall include any remaining
2 balance of the amount withheld in a calendar year under par. (a) which that is not
3 disbursed under this paragraph shall be included in the total compiled by the
4 department under par. (a) for the next calendar year. If errors in payments exceed
5 the amount of disbursements under this paragraph exceeds the available balance of
6 the amount set aside for error payments, withheld under par. (a), the department
7 shall make reasonable adjustments shall be made in the distribution applicable
8 distributions for the next year.

9 *~~0676/2.22~~* **SECTION 2494.** 101.573 (4) (title) of the statutes is created to read:
10 101.573 (4) (title) REPORTING REQUIREMENTS; DEPARTMENT AND COMMISSIONER OF
11 INSURANCE.

12 *~~0676/2.23~~* **SECTION 2495.** 101.573 (4) of the statutes is renumbered 101.573
13 (4) (a) and amended to read:

14 101.573 (4) (a) The department shall transmit to the ~~treasurer~~ clerk of each
15 city, village, and town that is entitled to fire department dues, under s. 101.575 a
16 statement of the amount of dues payable to ~~the city, village, or town~~ under this
17 section ~~and the~~.

18 (b) The commissioner of insurance shall furnish to the state treasurer transmit
19 to the department, upon request, a list of the containing the names of all insurers
20 paying fire department dues under s. 601.93 and the amount paid by each listed
21 insurer.

22 *~~0676/2.24~~* **SECTION 2496.** 101.575 (title) of the statutes is amended to read:
23 **101.575 (title) Entitlement to and use of fire department dues.**

24 *~~0676/2.25~~* **SECTION 2497.** 101.575 (1) (a) of the statutes is renumbered
25 101.575 (1) and amended to read:

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SECTION 2497

1 101.575 (1) ENTITLEMENT GENERALLY. ~~Except as provided in par. (am), every~~
2 ~~Every~~ city, village, or town ~~maintaining a fire department that complies with this~~
3 ~~subsection and the requirements of subs. (3) to (6) that is eligible to receive fire~~
4 ~~department dues under sub. (4) is entitled to a proportionate share of all fire~~
5 ~~department dues collected under ss. 101.573 and 601.93 and 604.04 (3) (b), after~~
6 ~~deducting the administrative expenses of the department under s. 101.573, based on~~
7 ~~the equalized valuation of real property improvements upon land within the city,~~
8 ~~village, or town, but not less than the amount the municipality received under s.~~
9 ~~601.93 (3), 1977 stats., and chapter 26, laws of 1979, in calendar year 1979.~~

10 *~~0676/2.26~~* SECTION 2498. 101.575 (1) (am) of the statutes is renumbered
11 101.575 (7) and amended to read:

12 101.575 (7) NONCOMPLIANCE PROCEDURE. ~~If~~ Except as otherwise provided in this
13 subsection, if the department determines that a city, village, or town fire department
14 has failed to satisfy the requirements of this subsection or subs. (3) to (6) is not
15 eligible to receive fire department dues under sub. (4), the department shall
16 nonetheless pay fire department dues for that calendar year to that to the city,
17 village, or town. The department and shall issue a notice of noncompliance to the
18 chief of the fire department, the applicable governing body and, to the highest elected
19 official of the city, village or town. If the fire department cannot demonstrate mayor,
20 village president, or town chairperson, as applicable, and to each fire department
21 providing fire protection or fire prevention services to the city, village, or town. After
22 the department issues a notice of noncompliance to a city, village, or town, the city,
23 village, or town is not entitled to fire department dues until the city, village, or town
24 demonstrates to the department that the fire department has met all requirements
25 within one year after receipt of the notice or prior to the next audit by the

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1 ~~department, whichever is later, the city, village or town shall not be entitled to dues~~
2 ~~under par. (a) for that year in which the city, village or town becomes not entitled to~~
3 ~~dues and for all subsequent calendar years until the requirements are met~~ city,
4 village, or town is eligible to receive fire department dues under sub. (4).

5 *~~0676/2.27~~* **SECTION 2499.** 101.575 (1) (b) of the statutes is renumbered
6 101.575 (4) (a) 3. and amended to read:

7 101.575 (4) (a) 3. ~~Every~~ The department determines that, if the city, village, or
8 ~~town that contracts for to receive fire protection and fire prevention services that~~
9 ~~comply with s. 101.14 (2) from another city, village or town is entitled to the dues~~
10 ~~specified in par. (a) if the department determines that the, each contract other than~~
11 a mutual aid agreement is sufficient to allow each fire department furnishing the
12 protection can provide the agreed that provides fire protection and fire prevention
13 services to do so without endangering property within its own limits and the fire
14 prevention services comply with s. 101.14 (2) the fire department's own territory.

15 *~~0676/2.28~~* **SECTION 2500.** 101.575 (1) (c) of the statutes is repealed.

16 *~~0676/2.29~~* **SECTION 2501.** 101.575 (2) of the statutes is renumbered 101.577.

17 *~~0676/2.30~~* **SECTION 2502.** 101.575 (3) (intro.) of the statutes is repealed.

18 *~~0676/2.31~~* **SECTION 2503.** 101.575 (3) (a) (intro.) of the statutes is repealed.

19 *~~0676/2.32~~* **SECTION 2504.** 101.575 (3) (a) 1. of the statutes is renumbered
20 101.575 (4) (a) 5. and amended to read:

21 101.575 (4) (a) 5. Is The city, village, or town receives services from a fire
22 department that is organized to provide continuous fire protection in that city,
23 village, or town and has a designated chief.

24 *~~0676/2.33~~* **SECTION 2505.** 101.575 (3) (a) 2. of the statutes is renumbered
25 101.575 (4) (a) 6. and amended to read:

SENATE BILL 55**SECTION 2505**

1 101.575 (4) (a) 6. ~~Singly~~ The city, village, or town receives services from a fire
2 department that singly, or in combination with another fire department under a
3 contract or mutual aid agreement, can ensure the response of at least 4 fire fighters,
4 none of whom is the chief, to a first alarm for a building.

5 *~~0676/2.34~~* **SECTION 2506.** 101.575 (3) (a) 3. of the statutes is renumbered
6 101.575 (4) (a) 7. and amended to read:

7 101.575 (4) (a) 7. ~~Provides~~ The city, village, or town receives services from a fire
8 department that provides a training program, as prescribed by rule of the
9 department by rule, to fire fighters and inspectors who provide fire suppression
10 services, fire prevention inspections, or public education with regard to fire safety.

11 *~~0676/2.35~~* **SECTION 2507.** 101.575 (3) (a) 4. of the statutes is renumbered
12 101.575 (4) (a) 8. and amended to read:

13 101.575 (4) (a) 8. ~~Provides~~ The city, village, or town receives services from a fire
14 department that provides facilities capable, without delay, of receiving an alarm and
15 dispatching fire fighters and apparatus.

16 *~~0676/2.36~~* **SECTION 2508.** 101.575 (3) (b) of the statutes is renumbered
17 101.575 (4) (a) 9. and amended to read:

18 101.575 (4) (a) 9. ~~Each~~ The city, village, or town eligible for dues under this
19 section shall maintain either a voluntary maintains or contracts with a volunteer fire
20 department that has sufficient personnel ready for service at all times and that holds
21 a meeting at least once each month, or with a paid or partly paid fire department with
22 sufficient personnel ready for service at all times.

23 *~~0676/2.37~~* **SECTION 2509.** 101.575 (4) (title) of the statutes is created to read:
24 101.575 (4) (title) ELIGIBILITY, WITHHELD PAYMENTS.

25 *~~0676/2.38~~* **SECTION 2510.** 101.575 (4) (a) of the statutes is amended to read:

SENATE BILL 55**SECTION 2510**

1 101.575 (4) (a) ~~The department may not pay any fire department dues for any~~
2 ~~year to~~ Except as provided in sub. (7), a city, village, or town or fire department unless
3 is eligible to receive fire department dues only if all of the following conditions are
4 satisfied:

5 1. The department determines that the city, village, or town or fire department
6 has complied with ~~sub. (6) this section~~ and s. 101.14 (2), except that, for the purposes
7 of making this determination, only 95% of the inspections required under s. 101.14
8 (2) need be provided for in the city, village, or town.

9 2. The city, village, or town ~~has submitted a~~ submits an audit form which is,
10 provided by the department and signed by the clerk of the city, village, or town and
11 by the chief of ~~the each~~ fire department providing fire protection and fire prevention
12 services to that the city, village, or town, which is provided by the department by rule
13 and which certifies certifying that the ~~fire department has complied with~~ city, village,
14 or town satisfies the requirements of this section or the department has audited the
15 city, village, town or fire department and determined that it complies with sub. (6)
16 and s. 101.14 (2), except that, for the purposes of this subdivision, the audit form shall
17 certify that at least 95% of the inspections required under s. 101.14 (2) were provided
18 for in the city, village, or town.

19 *–0676/2.39* **SECTION 2511.** 101.575 (4) (am) of the statutes is created to read:

20 101.575 (4) (am) If a city, village, or town receives fire protection and fire
21 prevention services under a contract other than or in addition to a mutual aid
22 agreement, both municipalities may receive fire department dues if otherwise
23 eligible.

24 *–0676/2.40* **SECTION 2512.** 101.575 (5) of the statutes is renumbered 101.575

25 (4) (a) 4. and amended to read:

SENATE BILL 55**SECTION 2512**

1 101.575 (4) (a) 4. ~~No~~ The department determines that, if the city, village, or
2 ~~town which has contracted with another city, village or town or any part thereof for~~
3 ~~contracts to receive fire protection may be paid any fire department dues unless the~~
4 ~~contract or~~ and fire prevention services, all contracts, exclusive of any mutual aid
5 agreements, together are sufficient to provide fire protection to the entire city,
6 village, or town for which the fire protection ~~service is~~ and fire prevention services
7 are being provided.

8 *~~0676/2.41~~* **SECTION 2513.** 101.575 (6) (title) of the statutes is created to read:

9 101.575 (6) (title) USE OF FIRE DEPARTMENT DUES.

10 *~~0676/2.42~~* **SECTION 2514.** 101.575 (6) (a) (intro.) of the statutes is amended
11 to read:

12 101.575 (6) (a) (intro.) No city, village, or town ~~maintaining a fire department~~
13 ~~under this section~~ may use any fire department dues received under s. 101.573 and
14 ~~this section~~ for any purpose except the direct provision of the following:

15 *~~0676/2.43~~* **SECTION 2515.** 101.575 (6) (b) of the statutes is amended to read:

16 101.575 (6) (b) Any city, village, or town that ~~contracts for~~ receives fire
17 ~~protection service~~ and fire prevention services under a contract other than or in
18 addition to a mutual aid agreement shall give all fire department dues received
19 under s. 101.573 and this section to the fire department providing the fire protection
20 service and fire prevention services under the contract. That fire department shall
21 use those fire department dues for any of the purposes specified in par. (a) 1. to 4.

22 *~~0676/2.44~~* **SECTION 2516.** 101.577 (title) of the statutes is created to read:

23 **101.577 (title) Liability of city or village for fire department services**
24 **outside of boundaries.**

25 *~~0678/1.1~~* **SECTION 2517.** 101.63 (3) of the statutes is repealed.

SENATE BILL 55**SECTION 2518**

1 *~~0678/1.2~~* **SECTION 2518.** 101.64 (9) of the statutes is created to read:

2 101.64 (9) Contract with any person to provide inspection services, or may
3 provide inspection services directly, in any city, village, town, or county that requires
4 the services pursuant to s. 101.65 (2) or in which the department is required or
5 authorized to provide the services under s. 101.651 (3) or (3m) (a).

6 *~~0677/2.1~~* **SECTION 2519.** 101.73 (3) of the statutes is amended to read:

7 101.73 (3) Provide for examination of plans and specifications and in-plant
8 inspections when contracted for by the manufacturer under s. 101.75 (1) ~~and shall~~
9 ~~contract to provide on-site inspection services for the installation of manufactured~~
10 ~~buildings for dwellings, at municipal expense, for any municipality which requires~~
11 ~~such service under s. 101.76 or 101.761.~~

12 *~~0677/2.2~~* **SECTION 2520.** 101.74 (8) of the statutes is created to read:

13 101.74 (8) Contract with any person to provide inspection services, or may
14 provide inspection services directly, in any city, village, town, or county which
15 requires the services pursuant to s. 101.76 (2) or in which the department is required
16 or authorized to provide the services under s. 101.761 (3).

17 *~~0677/2.3~~* **SECTION 2521.** 101.76 (1) (a) of the statutes is amended to read:

18 101.76 (1) (a) ~~With the approval of the department, exercise~~ Exercise
19 jurisdiction over the installation of manufactured buildings for dwellings by passage
20 of ordinances, provided such ordinances are in strict conformance with this
21 subchapter and the on-site inspection is performed by persons certified by the
22 department. Except as provided by s. 101.761, a county ordinance shall apply in any
23 city, village or town which has not enacted such ordinance.

24 *~~0677/2.4~~* **SECTION 2522.** 101.761 (title) of the statutes is amended to read:

25 101.761 (title) **Certain municipalities ~~excepted~~ exempted.**

SENATE BILL 55**SECTION 2523**

1 *~~0677/2.5~~* **SECTION 2523.** 101.761 (1) (title) of the statutes is created to read:
2 101.761 (1) (title) DEFINITION.

3 *~~0677/2.6~~* **SECTION 2524.** 101.761 (2) of the statutes is repealed.

4 *~~0677/2.7~~* **SECTION 2525.** 101.761 (2m) of the statutes is created to read:

5 101.761 (2m) EXEMPTION BY RESOLUTION. A municipality shall exercise
6 jurisdiction over the installation of manufactured buildings for dwellings by
7 enacting ordinances under s. 101.76 (1) (a) or shall exercise the jurisdiction granted
8 under s. 101.76 (1) (a) jointly under s. 101.76 (1) (b), unless any of the following
9 conditions are met:

10 (a) The municipality adopts a resolution requesting under sub. (3) (a) that a
11 county enforce this subchapter or an ordinance enacted under s. 101.76 (1) (a)
12 throughout the municipality and that a county provide inspection services in the
13 municipality to administer and enforce this subchapter or an ordinance enacted
14 under s. 101.76 (1) (a).

15 (b) The municipality adopts a resolution determining not to exercise
16 jurisdiction over the installation of manufactured buildings for dwellings under s.
17 101.76 (1) (a), not to exercise jurisdiction jointly under s. 101.76 (1) (b), not to request
18 under sub. (3) (a) that a county enforce this subchapter or an ordinance enacted
19 under s. 101.76 (1) (a) throughout the municipality and not to request under sub. (3)
20 (a) that a county provide inspection services in the municipality to administer and
21 enforce this subchapter or an ordinance enacted under s. 101.76 (1) (a).

22 (c) Under sub. (3) (b), the department enforces this subchapter or an ordinance
23 enacted under s. 101.76 (1) (a) throughout the municipality and provides inspection
24 services in the municipality to administer and enforce this subchapter or an
25 ordinance enacted under s. 101.76 (1) (a).

SENATE BILL 55**SECTION 2526**

1 *–0677/2.8* **SECTION 2526.** 101.761 (3) (title) of the statutes is created to read:
2 101.761 (3) (title) DEPARTMENTAL AND COUNTY AUTHORITY IN MUNICIPALITIES;
3 GENERALLY.

4 *–0677/2.9* **SECTION 2527.** 101.761 (3) of the statutes is renumbered 101.761
5 (3) (a) and amended to read:

6 101.761 (3) (a) The Except as provided in par. (b), the department or a county
7 may not enforce this subchapter or an ordinance adopted under s. 101.76 (1) (a) or
8 provide inspection services in a municipality unless requested to do so by a person
9 with respect to a particular manufactured building or by the municipality. A request
10 by a person or a municipality with respect to a particular manufactured building
11 does not give the department or a county authority with respect to any other
12 manufactured building. Costs shall be collected under s. 101.76 (1) (c) or ss. 101.73
13 (12) and 101.76 (2) from the person or municipality making the request.

14 *–0677/2.10* **SECTION 2528.** 101.761 (3) (b) of the statutes is created to read:
15 101.761 (3) (b) The department shall provide inspection services and shall
16 enforce this subchapter or an ordinance enacted under s. 101.76 (1) (a) throughout
17 any municipality that does not exercise jurisdiction under sub. (2m) and that has not
18 adopted a resolution under sub. (2m) (a) or (b).

19 *–0677/2.11* **SECTION 2529.** 101.761 (4) (title) of the statutes is created to read:
20 101.761 (4) (title) DATA RELATING TO HOUSING STARTS IN MUNICIPALITIES.

21 *–0677/2.12* **SECTION 2530.** 101.761 (5) (title) of the statutes is created to read:
22 101.761 (5) (title) EFFECT OF SECTION ON CERTAIN LAWS.

23 *–0677/2.13* **SECTION 2531.** 101.761 (6) (title) of the statutes is created to read:
24 101.761 (6) (title) ENERGY CONSERVATION RULES; CONTINUING EFFECT.

SENATE BILL 55**SECTION 2532**

1 ***-2007/2.4*** **SECTION 2532.** Subchapter V (title) of chapter 101 [precedes
2 101.91] of the statutes is amended to read:

CHAPTER 101**SUBCHAPTER V****MANUFACTURED HOMES AND MOBILE HOMES;****REGULATION OF MANUFACTURERS**

7 ***-2007/2.5*** **SECTION 2533.** 101.91 (2b) of the statutes is renumbered 101.91
8 (3).

9 ***-2007/2.6*** **SECTION 2534.** 101.91 (2d) of the statutes is renumbered 101.91
10 (4).

11 ***-2007/2.7*** **SECTION 2535.** 101.91 (2f) of the statutes is renumbered 101.91
12 (5m).

13 ***-2007/2.8*** **SECTION 2536.** 101.91 (2h) of the statutes is renumbered 101.91
14 (9).

15 ***-2007/2.9*** **SECTION 2537.** 101.91 (2k) of the statutes is renumbered 101.91
16 (10).

17 ***-2007/2.10*** **SECTION 2538.** 101.91 (5) of the statutes is renumbered 101.91
18 (11).

19 ***-2007/2.11*** **SECTION 2539.** 101.91 (6) of the statutes is renumbered 101.91
20 (12).

21 ***-2007/2.12*** **SECTION 2540.** 101.93 (title) of the statutes is repealed and
22 recreated to read:

23 **101.93 (title) Plumbing in manufactured homes.**

24 ***-2007/2.13*** **SECTION 2541.** 101.937 (title) of the statutes is created to read:
25 **101.937 (title) Water and sewer service to manufactured home parks.**

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1 ***-2007/2.14*** SECTION 2542. 101.937 (6) (title) of the statutes is created to read:
2 101.937 (6) (title) PAYMENT OF DEPARTMENT'S EXPENDITURES.

3 ***-2007/2.15*** SECTION 2543. 101.937 (6) (b) to (g) of the statutes are created
4 to read:

5 101.937 (6) (b) If any manufactured home park operator is billed under par. (a)
6 and fails to pay the bill within 30 days or fails to file objections to the bill with the
7 department, as provided in this paragraph, the department shall transmit to the
8 state treasurer a certified copy of the bill, together with notice of failure to pay the
9 bill, and on the same day the department shall mail by registered mail to the
10 manufactured home park operator a copy of the notice that the department has
11 transmitted to the state treasurer. Within 10 days after receipt of the notice and
12 certified copy of the bill, the state treasurer shall levy the amount stated on the bill
13 to be due, with interest, by distress and sale of any property, including stocks,
14 securities, bank accounts, evidences of debt, and accounts receivable belonging to the
15 delinquent manufactured home park operator. The levy by distress and sale shall
16 be governed by s. 74.10, 1985 stats., except that it shall be made by the state
17 treasurer and that goods and chattels anywhere within the state may be levied upon.

18 (c) 1. Within 30 days after the date of the mailing of any bill under par. (a), the
19 manufactured home park operator that has been billed may file with the department
20 objections setting out in detail the grounds upon which the objector regards the bill
21 to be excessive, erroneous, unlawful, or invalid. The department, after notice to the
22 objector, shall hold a hearing upon the objections, from 5 to 10 days after providing
23 the notice. If after the hearing the department finds any part of the bill to be
24 excessive, erroneous, unlawful, or invalid, the department shall record its findings
25 upon its minutes and transmit to the objector by registered mail an amended bill, in

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1 accordance with the findings. The amended bill shall have the same force and effect
2 as an original bill rendered under par. (a).

3 2. If after a hearing under subd. 1. the department finds the entire bill unlawful
4 or invalid, the department shall notify the objector by registered mail of the
5 determination, in which case the original bill shall be deemed null and void.

6 3. If after a hearing under subd. 1. the department finds that the bill as
7 rendered is not excessive, erroneous, unlawful, or invalid, either in whole or in part,
8 the department shall record the findings upon its minutes, and transmit to the
9 objector by registered mail notice of the findings.

10 4. If any bill against which objections have been filed is not paid within 10 days
11 after notice of a finding that the objections have been overruled and disallowed by
12 the department has been mailed to the objector as provided in this paragraph, the
13 department shall give notice of the delinquency to the state treasurer and to the
14 objector, in the manner provided in par. (b). The state treasurer shall then proceed
15 to collect the amount of the delinquent bill as provided in par. (b). If an amended bill
16 is not paid within 10 days after a copy of the amended bill is mailed to the objector
17 by registered mail, the department shall notify the state treasurer and the objector
18 as in the case of delinquency in the payment of an original bill. The state treasurer
19 shall then proceed to collect the amount of the amended bill as provided in the case
20 of an original bill.

21 (d) No suit or proceeding may be maintained in any court to restrain or delay
22 the collection or payment of any bill rendered under par. (a). Every manufactured
23 home park operator that is billed shall pay the amount of the bill and after payment
24 may in the manner provided under this subsection, at any time within 2 years from
25 the date the payment was made, sue the state to recover the amount paid plus

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1 interest from the date of payment, upon the ground that the assessment was
2 excessive, erroneous, unlawful, or invalid in whole or in part. If the court finds that
3 any part of the bill for which payment was made was excessive, erroneous, unlawful,
4 or invalid, the state treasurer shall make a refund to the claimant as directed by the
5 court. The refund shall be charged to the appropriations to the department.

6 (e) No action for recovery of any amount paid pursuant to this subsection shall
7 be maintained in any court unless objections have been filed with the department as
8 provided under this subsection. In any action for recovery of any payments made
9 under this subsection the claimant shall be entitled to raise every relevant issue of
10 law, but the department's findings of fact made pursuant to this subsection shall be
11 prima facie evidence of the facts therein stated.

12 (f) Each of the following shall be deemed to be findings of fact of the department,
13 within the meaning of this subsection:

14 1. Determinations of fact expressed in bills rendered pursuant to this
15 subsection.

16 2. Determinations of fact set out in those minutes of the department that record
17 the action of the department in passing upon the bills and in passing upon objections
18 thereto.

19 (g) The procedure under this subsection providing for determining the
20 lawfulness of bills and the recovery back of payments made pursuant to the bills shall
21 be exclusive of all other remedies and procedures.

22 *–2411/3.31* **SECTION 2544.** 102.07 (9) of the statutes is amended to read:

23 102.07 (9) Members of the national guard, the naval militia, and state defense
24 force, when on state active duty under direction of appropriate authority, but only in

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1 case federal laws, rules or regulations provide no benefits substantially equivalent
2 to those provided in this chapter.

3 ***-2411/3.32* SECTION 2545.** 102.475 (1) of the statutes is amended to read:

4 102.475 (1) SPECIAL BENEFIT. If the deceased employee is a law enforcement
5 officer, correctional officer, fire fighter, rescue squad member, diving team member,
6 national guard member, naval militia member, or state defense force member on
7 state active duty as described in s. 102.07 (9) or if a deceased person is an employee
8 or volunteer performing emergency management activities under ch. 166 during a
9 state of emergency or a circumstance described in s. 166.04, who sustained an
10 accidental injury while performing services growing out of and incidental to that
11 employment or volunteer activity so that benefits are payable under s. 102.46 or
12 102.47 (1), the department shall voucher and pay from the appropriation under s.
13 20.445 (1) (aa) a sum equal to 75% of the primary death benefit as of the date of death,
14 but not less than \$50,000 to the persons wholly dependent upon the deceased. For
15 purposes of this subsection, dependency shall be determined under ss. 102.49 and
16 102.51.

17 ***-1394/2.40* SECTION 2546.** 102.85 (5) (a) of the statutes is amended to read:

18 102.85 (5) (a) The payment of any judgment under this section may be
19 suspended or deferred for not more than 90 days in the discretion of the court. The
20 court shall suspend a judgment under this section upon the motion of the
21 department, if the department is satisfied that the employer's violation of s. 102.16
22 (3) or 102.28 (2) was beyond the employer's control and that the employer no longer
23 violates s. 102.16 (3) or 102.28 (2). In cases where a deposit has been made, any
24 forfeitures, penalty assessments, law enforcement training fund assessments, jail

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1 assessments, uninsured employer assessments, and costs shall be taken out of the
2 deposit and the balance, if any, returned to the employer.

3 ***-1394/2.41* SECTION 2547.** 102.87 (2) (e) of the statutes is amended to read:

4 102.87 (2) (e) The maximum forfeiture, penalty assessment, law enforcement
5 training fund assessment, jail assessment, crime laboratories and drug law
6 enforcement assessment, and any applicable uninsured employer assessment for
7 which the defendant is liable.

8 ***-1394/2.42* SECTION 2548.** 102.87 (2) (g) of the statutes is amended to read:

9 102.87 (2) (g) Notice that if the defendant makes a deposit and fails to appear
10 in court at the time specified in the citation, the failure to appear will be considered
11 tender of a plea of no contest and submission to a forfeiture, penalty assessment, law
12 enforcement training fund assessment, jail assessment, crime laboratories and drug
13 law enforcement assessment, and any applicable uninsured employer assessment
14 plus costs not to exceed the amount of the deposit. The notice shall also state that
15 the court, instead of accepting the deposit and plea, may decide to summon the
16 defendant or may issue an arrest warrant for the defendant upon failure to respond
17 to a summons.

18 ***-1394/2.43* SECTION 2549.** 102.87 (2) (h) of the statutes is amended to read:

19 102.87 (2) (h) Notice that if the defendant makes a deposit and signs the
20 stipulation, the stipulation will be treated as a plea of no contest and submission to
21 a forfeiture, penalty assessment, law enforcement training fund assessment, jail
22 assessment, crime laboratories and drug law enforcement assessment, and any
23 applicable uninsured employer assessment plus costs not to exceed the amount of the
24 deposit. The notice shall also state that the court, instead of accepting the deposit
25 and stipulation, may decide to summon the defendant or issue an arrest warrant for

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1 the defendant upon failure to respond to a summons, and that the defendant may,
2 at any time before or at the time of the court appearance date, move the court for
3 relief from the effect of the stipulation.

4 ***-1394/2.44* SECTION 2550.** 102.87 (3) of the statutes is amended to read:

5 102.87 (3) A defendant issued a citation under this section may deposit the
6 amount of money that the issuing department deputy or officer directs by mailing or
7 delivering the deposit and a copy of the citation before the court appearance date to
8 the clerk of the circuit court in the county where the violation occurred, to the
9 department, or to the sheriff's office or police headquarters of the officer who issued
10 the citation. The basic amount of the deposit shall be determined under a deposit
11 schedule established by the judicial conference. The judicial conference shall
12 annually review and revise the schedule. In addition to the basic amount determined
13 by the schedule the deposit shall include the penalty assessment, law enforcement
14 training fund assessment, jail assessment, crime laboratories and drug law
15 enforcement assessment, any applicable uninsured employer assessment, and costs.

16 ***-1394/2.45* SECTION 2551.** 102.87 (4) of the statutes is amended to read:

17 102.87 (4) A defendant may make a stipulation of no contest by submitting a
18 deposit and a stipulation in the manner provided by sub. (3) before the court
19 appearance date. The signed stipulation is a plea of no contest and submission to a
20 forfeiture plus the penalty assessment, law enforcement training fund assessment,
21 jail assessment, crime laboratories and drug law enforcement assessment, any
22 applicable uninsured employers assessment, and costs not to exceed the amount of
23 the deposit.

24 ***-1394/2.46* SECTION 2552.** 102.87 (5) of the statutes is amended to read:

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1 102.87 (5) Except as provided by sub. (6), a person receiving a deposit shall
2 prepare a receipt in triplicate showing the purpose for which the deposit is made,
3 stating that the defendant may inquire at the office of the clerk of the circuit court
4 regarding the disposition of the deposit, and notifying the defendant that if he or she
5 fails to appear in court at the time specified in the citation he or she shall be
6 considered to have tendered a plea of no contest and submitted to a forfeiture,
7 penalty assessment, law enforcement training fund assessment, jail assessment,
8 crime laboratories and drug law enforcement assessment, and any applicable
9 uninsured employer assessment plus costs not to exceed the amount of the deposit
10 and that the court may accept the plea. The original of the receipt shall be delivered
11 to the defendant in person or by mail. If the defendant pays by check, the canceled
12 check is the receipt.

13 *–1394/2.47* **SECTION 2553.** 102.87 (6) of the statutes is amended to read:

14 102.87 (6) The person receiving a deposit and stipulation of no contest shall
15 prepare a receipt in triplicate showing the purpose for which the deposit is made,
16 stating that the defendant may inquire at the office of the clerk of the circuit court
17 regarding the disposition of the deposit, and notifying the defendant that if the
18 stipulation of no contest is accepted by the court the defendant will be considered to
19 have submitted to a forfeiture, penalty assessment, law enforcement training fund
20 assessment, jail assessment, crime laboratories and drug law enforcement
21 assessment, and applicable uninsured employer assessment plus costs not to exceed
22 the amount of the deposit. Delivery of the receipt shall be made in the same manner
23 as provided in sub. (5).

24 *–1394/2.48* **SECTION 2554.** 102.87 (7) (b) of the statutes is amended to read:

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1 102.87 (7) (b) If the defendant has made a deposit, the citation may serve as
2 the initial pleading and the defendant shall be considered to have tendered a plea
3 of no contest and submitted to a forfeiture, penalty assessment, law enforcement
4 training fund assessment, jail assessment, crime laboratories and drug law
5 enforcement assessment, and any applicable uninsured employer assessment plus
6 costs not to exceed the amount of the deposit. The court may either accept the plea
7 of no contest and enter judgment accordingly, or reject the plea and issue a summons.
8 If the defendant fails to appear in response to the summons, the court shall issue an
9 arrest warrant. If the court accepts the plea of no contest, the defendant may, within
10 90 days after the date set for appearance, move to withdraw the plea of no contest,
11 open the judgment, and enter a plea of not guilty if the defendant shows to the
12 satisfaction of the court that failure to appear was due to mistake, inadvertence,
13 surprise, or excusable neglect. If a defendant is relieved from the plea of no contest,
14 the court may order a written complaint or petition to be filed. If on reopening the
15 defendant is found not guilty, the court shall delete the record of conviction and shall
16 order the defendant's deposit returned.

17 *~~1394/2.49~~* **SECTION 2555.** 102.87 (7) (c) of the statutes is amended to read:

18 102.87 (7) (c) If the defendant has made a deposit and stipulation of no contest,
19 the citation serves as the initial pleading and the defendant shall be considered to
20 have tendered a plea of no contest and submitted to a forfeiture, penalty assessment,
21 law enforcement training fund assessment, jail assessment, crime laboratories and
22 drug law enforcement assessment, and any applicable uninsured employer
23 assessment plus costs not to exceed the amount of the deposit. The court may either
24 accept the plea of no contest and enter judgment accordingly, or reject the plea and
25 issue a summons or an arrest warrant. After signing a stipulation of no contest, the

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1 defendant may, at any time before or at the time of the court appearance date, move
2 the court for relief from the effect of the stipulation. The court may act on the motion,
3 with or without notice, for cause shown by affidavit and upon just terms, and relieve
4 the defendant from the stipulation and the effects of the stipulation.

5 ***-1394/2.50* SECTION 2556.** 102.87 (9) of the statutes is amended to read:

6 102.87 (9) A department deputy or an officer who collects a forfeiture, penalty
7 assessment, law enforcement training fund assessment, jail assessment, crime
8 laboratories and drug law enforcement assessment, applicable uninsured employer
9 assessment, and costs under this section shall pay the money to the county treasurer
10 within 20 days after its receipt. If the department deputy or officer fails to make
11 timely payment, the county treasurer may collect the payment from the department
12 deputy or officer by an action in the treasurer's name of office and upon the official
13 bond of the department deputy or officer, with interest at the rate of 12% per year
14 from the time when it should have been paid.

15 ***-1335/7.57* SECTION 2557.** 103.49 (1) (f) of the statutes is amended to read:

16 103.49 (1) (f) "State agency" means any office, department, independent
17 agency, institution of higher education, association, society or other body in state
18 government created or authorized to be created by the constitution or any law,
19 including the legislature and the courts. "State agency" also includes the University
20 of Wisconsin Hospitals and Clinics Authority and the Fox River Navigational System
21 Authority.

22 ***-1335/7.58* SECTION 2558.** 103.49 (2) of the statutes is amended to read:

23 103.49 (2) PREVAILING WAGE RATES AND HOURS OF LABOR. Any contract hereafter
24 made for the erection, construction, remodeling, repairing, or demolition of any
25 project of public works, except contracts for the construction or maintenance of public

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1 highways, streets, and bridges, to which the state, or any state agency ~~or the~~
2 ~~University of Wisconsin Hospitals and Clinics Authority~~ is a party shall contain a
3 stipulation that no person performing the work described in sub. (2m) may be
4 permitted to work a greater number of hours per day or per week than the prevailing
5 hours of labor, except that any such person may be permitted or required to work
6 more than such prevailing hours of labor per day and per week if he or she is paid
7 for all hours worked in excess of the prevailing hours of labor at a rate of at least 1.5
8 times his or her hourly basic rate of pay; nor may he or she be paid less than the
9 prevailing wage rate determined under sub. (3) in the same or most similar trade or
10 occupation in the area wherein such project of public works is situated. A reference
11 to the prevailing wage rates determined under sub. (3) and the prevailing hours of
12 labor shall be published in the notice issued for the purpose of securing bids for the
13 project. If any contract or subcontract for a project that is subject to this section is
14 entered into, the prevailing wage rates determined under sub. (3) and the prevailing
15 hours of labor shall be physically incorporated into and made a part of the contract
16 or subcontract, except that for a minor subcontract, as determined by the
17 department, the department shall prescribe by rule the method of notifying the
18 minor subcontractor of the prevailing wage rates and prevailing hours of labor
19 applicable to the minor subcontract. The prevailing wage rates and prevailing hours
20 of labor applicable to a contract or subcontract may not be changed during the time
21 that the contract or subcontract is in force.

22 *~~1335/7.59~~* **SECTION 2559.** 103.49 (7) (a) of the statutes is amended to read:
23 103.49 (7) (a) Except as provided under pars. (b) and (c), the department shall
24 distribute to all state agencies ~~and to the University of Wisconsin Hospitals and~~
25 ~~Clinics Authority~~ a list of all persons whom the department has found to have failed

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1 to pay the prevailing wage rate determined under sub. (3) or has found to have paid
2 less than 1.5 times the hourly basic rate of pay for all hours worked in excess of the
3 prevailing hours of labor at any time in the preceding 3 years. The department shall
4 include with any name the address of the person and shall specify when the person
5 failed to pay the prevailing wage rate and when the person paid less than 1.5 times
6 the hourly basic rate of pay for all hours worked in excess of the prevailing hours of
7 labor. A state agency or the University of Wisconsin Hospitals and Clinics Authority
8 may not award any contract to the person unless otherwise recommended by the
9 department or unless 3 years have elapsed from the date the department issued its
10 findings or date of final determination by a court of competent jurisdiction,
11 whichever is later.

12 *–1835/1.2* **SECTION 2560.** 103.805 (1) of the statutes is amended to read:

13 103.805 (1) The department or a permit officer shall ~~fix and collect a reasonable~~
14 ~~fee based on the cost of issuance of~~ collect a fee in the amount of \$7.50 for issuing
15 permits under ss. 103.25 and 103.71 and certificates of age under s. 103.75. The
16 department ~~may authorize the retention of the fees by the~~ A person designated to
17 issue permits and certificates of age as compensation for the person's services if the
18 ~~person who~~ is not on the payroll of the division administering this chapter may retain
19 \$2.50 of that fee as compensation for the person's services and shall forward \$5 of that
20 fee to the department, which shall deposit that amount forwarded in the general
21 fund and credit \$2.50 of that amount forwarded to the appropriation account under
22 s. 20.445 (1) (j). A person designated to issue permits and certificates of age who is
23 on the payroll of the division administering this chapter shall forward that fee to the
24 department, which shall deposit that fee in the general fund and credit \$2.50 of that

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1 fee to the appropriation account under s. 20.445 (1) (j). The permit officer shall
2 account for all fees collected as the department prescribes.

3 ***–2009/1.1* SECTION 2561.** 106.12 (2) of the statutes is amended to read:

4 106.12 (2) EMPLOYMENT AND EDUCATION PROGRAM ADMINISTRATION. The board
5 shall plan, coordinate, administer, and implement the youth apprenticeship,
6 school-to-work and, work-based learning, and career counseling center programs
7 under s. 106.13 (1) and such other employment and education programs as the
8 governor may by executive order assign to the board. Notwithstanding any
9 limitations placed on the use of state employment and education funds under this
10 section or s. 106.13 or under an executive order assigning an employment and
11 education program to the board, the board may issue a general or special order
12 waiving any of those limitations on finding that the waiver will promote the
13 coordination of employment and education services.

14 ***–1836/1.3* SECTION 2562.** 106.12 (4) of the statutes is created to read:

15 106.12 (4) PUBLICATIONS AND SEMINARS. The board may provide publications
16 and seminars relating to the employment and education programs administered by
17 the board and may establish a schedule of fees for those publications and seminars.
18 Fees established under this subsection for publications and seminars provided by the
19 board may not exceed the actual cost incurred in providing those publications and
20 seminars. The fees collected under this subsection shall be credited to the
21 appropriation account under s. 20.445 (7) (ga).

22 ***–2009/1.2* SECTION 2563.** 106.13 (1) (d) of the statutes is created to read:

23 106.13 (1) (d) Career counseling centers at which youths may receive the
24 services specified in sub. (4r).

25 ***–2009/1.3* SECTION 2564.** 106.13 (3m) (a) of the statutes is amended to read:

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1 106.13 (3m) (a) In this subsection, “local partnership” means one or more
2 school districts, or any combination of one or more school districts, other public
3 agencies, as defined in sub. (4) (a) 2., nonprofit organizations, as defined in sub. (4)
4 (a) ~~1.~~ 1r., individuals or other persons, who have agreed to be responsible for
5 implementing and coordinating a local youth apprenticeship program.

6 *~~2009/1.4~~* **SECTION 2565.** 106.13 (4) (a) 1. of the statutes is renumbered
7 106.13 (4) (a) 1r.

8 *~~2009/1.5~~* **SECTION 2566.** 106.13 (4) (a) 1d. of the statutes is created to read:
9 106.13 (4) (a) 1d. “Eligible employer” means an employer that is eligible to
10 receive a grant under this subsection according to the criteria established by the
11 board under par. (d).

12 *~~2009/1.6~~* **SECTION 2567.** 106.13 (4) (b) of the statutes is amended to read:
13 106.13 (4) (b) From the appropriation under s. 20.445 (7) (em), the board may
14 award a grant to a public agency or a nonprofit organization, or to an eligible
15 employer that is responsible for the on-the-job training and supervision of a youth
16 apprentice. A public agency or ~~non-profit~~ nonprofit organization that receives a
17 grant under this subsection shall use the funds awarded under the grant to award
18 training grants to eligible employers that provide on-the-job training and
19 supervision for youth apprentices. Subject to par. (c), a training grant provided
20 under this subsection may be awarded to an eligible employer for each youth
21 apprentice who receives at least 180 hours of paid on-the-job training from the
22 eligible employer during a school year, as defined in s. 115.001 (13). The amount of
23 a training grant may not exceed \$500 per youth apprentice per school year. A
24 training grant may not be awarded for any specific youth apprentice for more than
25 2 school years.

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1 *–2009/1.7* **SECTION 2568.** 106.13 (4) (c) of the statutes is amended to read:

2 106.13 (4) (c) Notwithstanding par. (b), the board may award a training grant
3 under this subsection to an eligible employer that provides less than 180 hours of
4 paid on–the–job training for a youth apprentice during a school year, as defined in
5 s. 115.001 (13), if the board determines that it would be beneficial for the youth
6 apprentice to receive on–the–job training from more than one eligible employer.

7 *–2009/1.8* **SECTION 2569.** 106.13 (4) (d) of the statutes is created to read:

8 106.13 (4) (d) The board shall establish eligibility criteria for a grant under this
9 subsection. That criteria shall specify that eligibility for a grant shall be limited to
10 small employers, as determined by the board, and to employers providing on–the–job
11 training in employment areas determined by the board. Notwithstanding sub. (5),
12 those criteria need not be promulgated as rules.

13 *–2009/1.9* **SECTION 2570.** 106.14 (1) of the statutes is renumbered 106.14 and
14 amended to read:

15 **106.14 Job centers and career counseling centers.** The department shall
16 provide a job center network throughout the state through which job seekers may
17 receive comprehensive career planning, job placement, and job training information.
18 ~~As part of the job center network, the department shall provide career counseling~~
19 ~~centers at which youths may receive the services specified in sub. (2).~~

20 *–2009/1.10* **SECTION 2571.** 106.14 (2) of the statutes is renumbered 106.13
21 (4r) and amended to read:

22 106.13 (4r) (a) A career counseling center under ~~this section~~ sub. (1) (d) shall
23 provide youths with access to comprehensive career education and job training
24 information, including information regarding postsecondary educational options in
25 vocational and technical educational programs. A career counseling center under

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1 ~~this section~~ sub. (1) (d) may also assist youths in locating apprenticeship and other
2 work experience opportunities that are related to the youth's education.

3 (b) A career counseling center under this ~~this section~~ sub. (1) (d) shall
4 coordinate its services with the counseling and guidance activities and the education
5 for employment program under s. 121.02 (1) (m) provided by the school board of the
6 school district in which the career counseling center is located.

7 ***-1891/4.54* SECTION 2572.** 106.21 (1) (g) of the statutes is amended to read:

8 106.21 (1) (g) "Public assistance" means relief provided by counties under s.
9 59.53 (21), Wisconsin works under ss. 49.141 to 49.161, aid to families with
10 dependent children under s. 49.19, medical assistance under subch. IV of ch. 49,
11 low income energy assistance under s. 16.385, weatherization assistance under s.
12 16.39, and the food stamp program under 7 USC 2011 to 2029.

13 ***-1891/4.55* SECTION 2573.** 106.21 (5) (a) of the statutes is amended to read:

14 106.21 (5) (a) *Community services activities; appropriations.* Moneys
15 appropriated under s. 20.445 (1) ~~(em), (jr) and (km)~~ (6) (bm), (j), and (k) may be used
16 for community services activities as authorized under those appropriations.

17 ***-1891/4.56* SECTION 2574.** 106.215 (1) (a) of the statutes is renumbered
18 106.215 (1) (cd) and amended to read:

19 106.215 (1) (cd) "~~Board~~" "Council" means the Wisconsin conservation corps
20 board council.

21 ***-1335/7.60* SECTION 2575.** 106.215 (1) (e) of the statutes is amended to read:

22 106.215 (1) (e) "Local unit of government" means the governing body of any city,
23 town, village, county, county utility district, town sanitary district, public inland lake
24 protection and rehabilitation district, metropolitan sewerage district or school

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1 district, the ~~Fox-Winnebago regional management commission~~ or the elected tribal
2 governing body of a federally recognized American Indian tribe or band.

3 ***-1891/4.57* SECTION 2576.** 106.215 (2) (intro.) of the statutes is amended to
4 read:

5 106.215 (2) OBJECTIVES. (intro.) The ~~board~~ department shall develop
6 guidelines for the Wisconsin conservation corps program. The council shall advise
7 the department in developing those guidelines. Those guidelines shall be designed
8 to promote the objectives of:

9 ***-1891/4.58* SECTION 2577.** 106.215 (3) of the statutes is amended to read:

10 106.215 (3) PROGRAM RESPONSIBILITY AND COORDINATION. The ~~board is the~~
11 ~~policy-making body~~ department is responsible for the administration of the
12 Wisconsin conservation corps program ~~and shall establish guidelines for this~~
13 ~~program.~~ The board may delegate. That responsibility shall include responsibility
14 for administration, implementation of projects, corps enrollee employment and
15 supervision, project coordination, and other details of the program to the executive
16 ~~secretary or other staff of the board.~~ The department shall assist the board in payroll,
17 accounting and related management functions.

18 ***-1891/4.59* SECTION 2578.** 106.215 (3m) of the statutes is amended to read:

19 106.215 (3m) REPORTING REQUIREMENT FOR DONATIONS. The ~~board~~ department
20 shall submit an annual report to the chief clerk of each house of the legislature for
21 distribution to the legislature under s. 13.172 (2) that identifies, for each gift, grant,
22 or bequest credited under s. 20.445 (6) (jb), the name of the individual or organization
23 making it and the amount of and the manner in which it is utilized.

24 ***-1891/4.60* SECTION 2579.** 106.215 (4) (title) of the statutes is repealed.

25 ***-1891/4.61* SECTION 2580.** 106.215 (4) (a) of the statutes is repealed.

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SECTION 2581

1 *~~1891/4.62~~* SECTION 2581. 106.215 (4) (b) of the statutes is renumbered
2 106.215 (4m) and amended to read:

3 106.215 (4m) STAFF. The ~~board~~ department shall employ staff within the
4 classified service ~~which is~~ as necessary to administer the Wisconsin conservation
5 corps program, including staff to coordinate, supervise, and implement projects, to
6 recruit and train corps enrollees, and to provide administrative, typing, and clerical
7 services. The department shall ~~provide~~ also employ staff within the classified service
8 ~~which is~~ as necessary to provide for payroll, accounting, and related management
9 functions associated with the Wisconsin conservation corps program.

10 *~~1891/4.63~~* SECTION 2582. 106.215 (5) (a) of the statutes is amended to read:

11 106.215 (5) (a) *Eligible sponsors*. The federal government, a state agency, local
12 unit of government, or nonprofit organization may apply to the ~~board~~ department for
13 approval of a project.

14 *~~1891/4.64~~* SECTION 2583. 106.215 (5) (d) of the statutes is amended to read:

15 106.215 (5) (d) *Local government sponsors*. The ~~board and~~ department shall
16 encourage local units of government to apply for the approval of projects and shall
17 provide assistance and information to facilitate these applications.

18 *~~1891/4.65~~* SECTION 2584. 106.215 (5) (e) of the statutes is amended to read:

19 106.215 (5) (e) *Not to involve labor dispute or displace other employees*. No
20 project may be approved by the ~~board~~ department if corps enrollees will be used in
21 any manner in connection with a work or labor dispute or if approval of the project
22 would impair existing contracts or collective bargaining agreements with existing
23 employees of the sponsor. No project may be approved by the ~~board~~ department if
24 corps enrollees will be used to displace existing permanent employees of the sponsor,
25 including any employees who have been temporarily ~~laid-off~~ laid off by the sponsor.

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SECTION 2585

1 ***-1891/4.66*** SECTION 2585. 106.215 (6) (intro.) of the statutes is amended to
2 read:

3 106.215 (6) GUIDELINES FOR PROJECT APPROVAL. (intro.) The ~~board~~ department
4 shall establish guidelines to be used in selecting projects for approval. ~~These~~ The
5 council shall advise the department in establishing those guidelines. ~~Those~~
6 guidelines shall include:

7 ***-1891/4.67*** SECTION 2586. 106.215 (7) (c) of the statutes is amended to read:
8 106.215 (7) (c) *Conservation fund appropriation.* Notwithstanding par. (a),
9 moneys appropriated under s. 20.445 (6) (u) that are not derived from the forestation
10 state tax under s. 70.58 may be utilized for any project approved by the ~~board~~
11 department regardless of whether the project consists in whole or in part of
12 conservation activities.

13 ***-1891/4.68*** SECTION 2587. 106.215 (8) of the statutes is amended to read:
14 106.215 (8) ADMINISTRATION; PROJECT APPROVAL; WORK PLANS; IMPLEMENTATION;
15 ENROLLEE SUPERVISION. (a) *Guidelines for administration.* The ~~board~~ department
16 shall provide guidelines for administration of the Wisconsin conservation corps
17 program. The council shall advise the department in providing those guidelines.

18 (b) *Administration.* The Wisconsin conservation corps program shall be
19 administered according to guidelines provided by the ~~board~~ department.

20 (c) *Administrative expenses; appropriations; reallocation.* Moneys
21 appropriated under s. 20.445 (6) (ja), (n), or (y) may be utilized for the payment of
22 administrative expenses related to the Wisconsin conservation corps program as
23 authorized under those appropriations. If the ~~board~~ department determines that
24 these appropriations are not sufficient, ~~it~~ the department may request the joint
25 committee on finance to take action under s. 13.101 (4) to transfer moneys from the

SENATE BILL 55**SECTION 2587**

1 appropriation account under s. 20.445 (6) (j), (m), or (u) to the appropriation account
2 under s. 20.445 (6) (ja), (n), or (y).

3 (d) *Approval.* Except as provided in sub. (8g), projects shall be selected and
4 approved by the ~~board~~ department based on guidelines established under sub. (6).

5 (e) *Complete project cost estimate.* Prior to approval of a project, the ~~executive~~
6 ~~secretary~~ department shall prepare and ~~submit to the board~~ a complete project cost
7 estimate. This estimate shall include a summary of all anticipated costs resulting
8 from the implementation of the project.

9 (f) *Detailed work plan.* Prior to approval of a project, the ~~executive secretary~~
10 department shall prepare and ~~submit to the board~~ a detailed work plan specifying
11 the nature, scope, and duration of the project; the number of corps enrollees;
12 training, supervisory, administrative, and other service requirements; supply, fuel,
13 tool, equipment, safety equipment, and other material requirements; time
14 schedules; and other details relating to the implementation of the project.

15 (g) *Responsibility agreement.* Prior to approval of a project, the ~~executive~~
16 ~~secretary~~ department shall prepare and ~~submit to the board~~ a responsibility
17 agreement ~~which~~ that incorporates the complete project cost estimate and detailed
18 work plan and specifies in detail the responsibilities of the sponsor and the ~~board~~
19 department with respect to the project.

20 (i) *Signing of responsibility agreement.* A project is not authorized and may not
21 be implemented until the sponsor and the ~~board~~ department sign the responsibility
22 agreement.

23 (j) *Implementation.* Except as provided in a responsibility agreement, the
24 ~~board~~ department is responsible for the implementation of an authorized project.

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1 The ~~board~~ department may delegate to a sponsor responsibility for implementing
2 various aspects of a project in the responsibility agreement.

3 (k) *Enrollee supervision.* 1. The ~~board~~ department is responsible for the overall
4 supervision and control of corps enrollees.

5 2. The ~~board~~ department may delegate to a sponsor responsibility for enrollee
6 recruitment, training, and supervision and for administrative services to be provided
7 for a project in the responsibility agreement.

8 (L) *Project coordination.* The ~~board~~ department is responsible for the
9 coordination of work activities related to various projects in the same area.

10 ***-1891/4.69* SECTION 2588.** 106.215 (8g) (a) of the statutes is amended to read:

11 106.215 (8g) (a) If a sponsor pays for the total cost of a project, the ~~board~~
12 department may select and approve a project without using the guidelines
13 established under sub. (6).

14 ***-1891/4.70* SECTION 2589.** 106.215 (8m) of the statutes is amended to read:

15 106.215 (8m) ADMINISTRATIVE PROJECT. In addition to the projects authorized
16 under this section, the ~~board~~ department may approve one project that provides
17 employment for corps enrollees in an administrative work or training project
18 sponsored by the Wisconsin conservation corps. Subsections (5) (a) to (d), (6), and (8)
19 (d), (g) to (j), and (k) 1. do not apply to a project approved under this subsection.

20 ***-1891/4.71* SECTION 2590.** 106.215 (9) of the statutes is amended to read:

21 106.215 (9) WORK CAMPS; TRAINING. (a) *Work camps.* If necessary for the
22 implementation of a conservation project, the ~~board~~ department may establish or
23 utilize residential facilities, but the ~~board~~ department may not use moneys
24 appropriated under s. 20.445 (6) (u) or (y) for the establishment of new residential
25 facilities.

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1 (b) *Education and training.* The board department shall facilitate
2 arrangements with local schools and institutions of higher education for academic
3 study by corps enrollees to upgrade literacy skills, obtain equivalency diplomas or
4 college degrees, or enhance employment skills. The board department shall
5 encourage the development of training programs for corps enrollees for use during
6 time periods when circumstances do not permit work on a project.

7 ***-1891/4.72*** **SECTION 2591.** 106.215 (10) (a) of the statutes is amended to read:

8 106.215 (10) (a) *Authorization; classification.* The board department may
9 employ corps enrollees. The board department shall classify these enrollees as corps
10 members, assistant crew leaders, crew leaders, or regional crew leaders.

11 ***-1891/4.73*** **SECTION 2592.** 106.215 (10) (fm) (intro.) of the statutes is
12 amended to read:

13 106.215 (10) (fm) *Group health care coverage.* (intro.) The board department
14 may provide group health care coverage, including group health care coverage
15 offered by the state under s. 40.51, to any of the following:

16 ***-0671/4.1*** **SECTION 2593.** 106.215 (10) (fm) 1. of the statutes is amended to
17 read:

18 106.215 (10) (fm) 1. Corps enrollees who have been crew leaders, regional crew
19 leaders or a combination thereof for at least ~~2 years~~ 6 months.

20 ***-1891/4.74*** **SECTION 2594.** 106.215 (10) (fm) 2. of the statutes is amended to
21 read:

22 106.215 (10) (fm) 2. Crew leaders or regional crew leaders who are discharging
23 special responsibilities, as determined by the board department.

24 ***-1891/4.75*** **SECTION 2595.** 106.215 (10) (g) 1. of the statutes is amended to
25 read:

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1 106.215 (10) (g) 1. A person who is employed as a corps enrollee for a 6–month
2 to one–year period of continuous employment, as determined by standards adopted
3 by the ~~board~~ department, and who receives a satisfactory employment evaluation
4 upon termination of employment is entitled to an incentive payment of \$500 prorated
5 in the same proportion as the number of hours of employment completed by that
6 person bears to 2,080 hours.

7 *–1891/4.76* **SECTION 2596.** 106.215 (10) (g) 1m. of the statutes is amended to
8 read:

9 106.215 (10) (g) 1m. In lieu of the incentive payment under subd. 1., a person
10 who is employed as a corps enrollee for at least a 6–month period of continuous
11 employment, as determined by standards adopted by the ~~board~~ department, and who
12 receives a satisfactory employment evaluation is entitled to an education voucher
13 that is worth at least double the monetary value of the prorated incentive payment
14 under subd. 1., but not more than \$2,800 prorated in the same proportion as the
15 number of hours of employment completed by that person bears to 2,080 hours.

16 *–1891/4.77* **SECTION 2597.** 106.215 (10) (g) 2. of the statutes is amended to
17 read:

18 106.215 (10) (g) 2. The ~~board~~ department may authorize a partial incentive
19 payment to a person who is employed as a corps enrollee and who receives a
20 satisfactory employment evaluation upon termination of employment if the person
21 is employed, as a corps enrollee for less than a one–year period of continuous
22 employment and the ~~board~~ department determines that employment was
23 terminated because of special circumstances beyond the control of the corps enrollee
24 or if the person is employed as a corps enrollee for at least 10 months but less than
25 a one–year period of continuous employment, and the ~~board~~ department determines

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1 that employment was terminated ~~in order~~ to enable the person to attend an
2 institution of higher education, technical college, or other training program or to
3 enable the person to obtain other employment.

4 ***-1891/4.78* SECTION 2598.** 106.215 (10) (g) 2m. of the statutes is amended to
5 read:

6 106.215 (10) (g) 2m. In lieu of a partial incentive payment under subd. 2. the
7 ~~board~~ department may authorize a partial education voucher to a person who is
8 employed as a corps enrollee and who receives a satisfactory employment evaluation
9 upon termination of employment if the person is employed as a corps enrollee for less
10 than a 6-month period of continuous employment, and the ~~board~~ department
11 determines that employment was terminated because of special circumstances
12 beyond the control of the corps enrollee.

13 ***-0671/4.2* SECTION 2599.** 106.215 (10) (g) 3. of the statutes is amended to
14 read:

15 106.215 (10) (g) 3. The education voucher is valid for ~~3~~ 4 years after the date
16 of issuance for the payment of tuition and required program activity fees at any
17 institution of higher education, as defined under s. ~~39.32 (1) (a)~~, which in 20 USC
18 1002, that accepts the voucher, and the ~~board~~ department shall authorize payment
19 to the institution of face value of the voucher upon presentment.

***NOTE: This is reconciled s. 106.215 (10) (g) 3. This SECTION has been affected
by drafts with the following LRB numbers: LRB-0671/3 and LRB-1891/3.

20 ***-1891/4.79* SECTION 2600.** 106.215 (10) (h) of the statutes is amended to read:

21 106.215 (10) (h) *Helmets; footwear; safety equipment.* The ~~board~~ department
22 shall provide each corps enrollee working on a conservation activity with a safety
23 helmet displaying a Wisconsin conservation corps emblem. The ~~board~~ department

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SECTION 2600

1 shall require each corps enrollee to have adequate protective footwear, if needed for
2 the project, and may partially reimburse corps enrollees for the cost of obtaining this
3 footwear. The ~~board~~ department shall ensure that all other necessary safety
4 equipment is provided for each corps enrollee.

5 *~~1891/4.80~~* SECTION 2601. 106.215 (11) of the statutes is amended to read:

6 106.215 (11) QUALIFICATIONS AND REQUIREMENTS FOR CORPS ENROLLEES. (a) *Age*.
7 ~~In order to~~ To qualify for employment as a corps member or an assistant crew leader,
8 a person is required to have attained the age of 18 years but may not have attained
9 the age of 26 years at the time ~~he or she~~ the person accepts employment. ~~In order~~
10 ~~to~~ To qualify for employment as a crew leader or a regional crew leader, a person is
11 required to have attained the age of 18 years at the time ~~he or she~~ the person accepts
12 employment.

13 (b) *Unemployed*. ~~In order to~~ To qualify for employment as a corps member, a
14 person is required to be unemployed at the time ~~he or she~~ the person applies for
15 employment. ~~In order to~~ To qualify for employment as an assistant crew leader, a
16 person is required to be either unemployed at the time ~~he or she~~ the person applies
17 for employment or is required to be employed as a corps member. ~~In order to~~ To
18 establish that a person is unemployed at the time of application for employment, the
19 ~~board~~ department may require the person to be certified as unemployed by a local
20 job service office.

21 (c) *Enrollment period*. ~~In order to~~ To qualify for employment as a corps enrollee,
22 a person is required to sign a statement of intention to serve in the Wisconsin
23 conservation corps program for a 6-month to one-year period. This statement does
24 not obligate the ~~board~~ department to provide employment for the enrollee for that
25 period.

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1 (d) *Training and skills.* No training or skills are required ~~in order~~ to qualify
2 for employment as a corps member. The ~~board~~ department shall establish minimum
3 levels of performance, training, and skills required to qualify for employment as or
4 promotion to assistant crew leader, crew leader, or regional crew leader. The council
5 shall advise the department in establishing those minimum levels.

6 (e) *Physical examination.* No physical examination is required ~~in order~~ to apply
7 for employment as a corps enrollee, but the ~~board~~ department may require a physical
8 examination after a corps enrollee is employed. The board department may accept
9 evidence of a physical examination conducted within one year prior to employment
10 as meeting such a requirement if the examining physician signs a form containing
11 the information required by the ~~board~~ department.

12 *~~-1891/4.81~~* **SECTION 2602.** 106.215 (12) of the statutes is amended to read:
13 106.215 (12) SELECTION OF CORPS ENROLLEES. (a) *Standards.* The ~~board~~
14 department shall establish standards for the selection of full-time and part-time
15 corps enrollees from among those persons who are qualified and seek employment.
16 The council shall advise the department in establishing those standards.

17 (am) *Employment of certain persons.* ~~On and after January 1, 1988,~~ the board
18 The department shall attempt to hire at least 50% of its corps members from among
19 those persons who are receiving public assistance at the time of application for
20 employment, who have received public assistance within one year of the time of
21 application for employment, or who are likely to be eligible for public assistance if
22 they do not obtain employment.

23 (b) *Affirmative action plan.* The ~~board~~ department shall adopt a statewide
24 affirmative action plan and shall comply with the requirements under s. 230.06 (1)

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1 (g) to (k). The council shall advise the department in adopting that plan. The
2 standards established under par. (a) shall be consistent with ~~this~~ that plan.

3 (c) *Hiring procedure.* The ~~board~~ department shall develop procedures for the
4 hiring of corps enrollees ~~in cooperation with the department.~~ The council shall
5 advise the department in developing those procedures. The ~~board~~ department shall
6 utilize any appropriate local job service office in the area of a project to distribute
7 applications, conduct interviews and evaluate applicants, and make
8 recommendations concerning the hiring of corps enrollees. The ~~board~~ department
9 may utilize project sponsors who are sponsoring long-term projects to conduct
10 interviews, evaluate applicants, and make recommendations concerning the hiring
11 of corps enrollees.

12 *–1891/4.82* **SECTION 2603.** 106.215 (13) of the statutes is amended to read:
13 106.215 (13) ENROLLMENT PERIOD; EVALUATION; PROMOTION; DISCIPLINE. (a)
14 *Enrollment period.* The ~~board~~ department may authorize the employment of a corps
15 member who is not promoted to assistant crew leader beyond the 6-month to
16 one-year enrollment period for a limited time, not to exceed one year, if the corps
17 member has a disability. The normal enrollment period for a corps member who is
18 promoted to assistant crew leader or for a person who is hired as assistant crew
19 leader is 2 years. The ~~board~~ department may authorize the employment of a corps
20 member or assistant crew leader beyond the normal enrollment period for a limited
21 time, not to exceed 3 months, under special circumstances ~~where~~ when continued
22 employment is required ~~in order~~ to complete a project in progress. The normal
23 enrollment period for a crew leader or a regional crew leader is 2 years. The ~~board~~
24 department may extend the employment of a crew leader beyond the normal
25 enrollment period if the crew leader possesses special experience, training, or skills

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1 valuable to the program. The ~~board~~ department may extend the employment of a
2 regional crew leader for an unlimited time.

3 (b) *Evaluation; promotion; discipline.* The ~~board~~ department shall establish
4 standards and procedures to evaluate the performance, to determine promotions, for
5 discipline, and for termination of employment of corps enrollees. The council shall
6 advise the department in establishing those standards and procedures.

7 *~~0475/3.2~~* **SECTION 2604.** 108.07 (8) (b) of the statutes is amended to read:

8 108.07 (8) (b) If a claimant is a prisoner of a state prison, ~~as defined~~ listed in
9 s. 302.01, and has employment with an employer other than the department of
10 corrections or a private business leasing space within a state prison under s. 303.01
11 (2) (em), and the claimant's employment terminates because conditions of
12 incarceration or supervision make it impossible to continue the employment, the
13 department shall charge to the fund's balancing account any benefits based on the
14 terminated employment that are otherwise chargeable to the account of an employer
15 that is subject to the contribution requirements under ss. 108.17 and 108.18.

16 *~~0015/1.1~~* **SECTION 2605.** 110.20 (6) (a) 1. of the statutes is amended to read:

17 110.20 (6) (a) 1. For a nonexempt vehicle required to be registered on an annual
18 or other periodic basis in this state, within ~~90 days~~ the period of time specified by the
19 department under sub. (9) (d) prior to renewal of registration in the 2nd year after
20 the nonexempt vehicle's model year and every 2 years thereafter, except as provided
21 in sub. (9) (j).

22 *~~0015/1.2~~* **SECTION 2606.** 110.20 (9) (d) of the statutes is amended to read:

23 110.20 (9) (d) Specify a period of time during which an emissions inspection
24 must be performed for a nonexempt vehicle subject to sub. (6) (a) 1. or 2.

25 *~~0911/4.1~~* **SECTION 2607.** 111.70 (1) (a) of the statutes is amended to read:

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1 111.70 (1) (a) “Collective bargaining” means the performance of the mutual
2 obligation of a municipal employer, through its officers and agents, and the
3 representative of its municipal employees in a collective bargaining unit, to meet and
4 confer at reasonable times, in good faith, with the intention of reaching an
5 agreement, or to resolve questions arising under such an agreement, with respect to
6 wages, hours, and conditions of employment, and with respect to a requirement of
7 the municipal employer for a municipal employee to perform law enforcement and
8 fire fighting services under s. 61.66, except as provided in sub. (4) (m) and (o) and s.
9 40.81 (3) and except that a municipal employer shall not meet and confer with respect
10 to any proposal to diminish or abridge the rights guaranteed to municipal employees
11 under ch. 164. The duty to bargain, however, does not compel either party to agree
12 to a proposal or require the making of a concession. Collective bargaining includes
13 the reduction of any agreement reached to a written and signed document. The
14 municipal employer shall not be required to bargain on subjects reserved to
15 management and direction of the governmental unit except insofar as the manner
16 of exercise of such functions affects the wages, hours, and conditions of employment
17 of the municipal employees in a collective bargaining unit. In creating this
18 subchapter the legislature recognizes that the municipal employer must exercise its
19 powers and responsibilities to act for the government and good order of the
20 jurisdiction which it serves, its commercial benefit and the health, safety, and
21 welfare of the public to assure orderly operations and functions within its
22 jurisdiction, subject to those rights secured to municipal employees by the
23 constitutions of this state and of the United States and by this subchapter.

24 *–0911/4.2* **SECTION 2608.** 111.70 (4) (cm) 8s. of the statutes is amended to
25 read: