

SENATE BILL 55

SECTION 2540m

KJF mgd

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1 required for each permit if the biennial renewal fee is not paid before the permit
2 expires.

KMG

3 ***-2007/2.13* SECTION 2541.** 101.937 (title) of the statutes is created to read:

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101.937 (title) Water and sewer service to manufactured home parks.

6 ***-2411/3.31* SECTION 2544.** 102.07 (9) of the statutes is amended to read:

7 102.07 (9) Members of the national guard, the naval militia, and state defense
8 force, when on state active duty under direction of appropriate authority, but only in
9 case federal laws, rules or regulations provide no benefits substantially equivalent
10 to those provided in this chapter.

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***b0625/3.26* SECTION 2544m.** 102.29 (8r) of the statutes is amended to read:

11 102.29 (8r) No participant in a food stamp employment and training program
12 under s. ~~49.124 (1m)~~ 49.13 who, under s. ~~49.124 (1m)~~ 49.13 (2) (d), is provided
13 worker's compensation coverage by the department or by a Wisconsin works agency,
14 as defined in s. 49.001 (9), and who makes a claim for compensation under this
15 chapter may make a claim or maintain an action in tort against the employer who
16 provided the employment and training from which the claim arose.

17 ***-2411/3.32* SECTION 2545.** 102.475 (1) of the statutes is amended to read:

18 102.475 (1) SPECIAL BENEFIT. If the deceased employee is a law enforcement
19 officer, correctional officer, fire fighter, rescue squad member, diving team member,
20 national guard member, naval militia member, or state defense force member on
21 state active duty as described in s. 102.07 (9) or if a deceased person is an employee
22 or volunteer performing emergency management activities under ch. 166 during a
23 state of emergency or a circumstance described in s. 166.04, who sustained an
24 accidental injury while performing services growing out of and incidental to that
25 employment or volunteer activity so that benefits are payable under s. 102.46 or

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1 102.47 (1), the department shall voucher and pay from the appropriation under s.
2 20.445 (1) (aa) a sum equal to 75% of the primary death benefit as of the date of death,
3 but not less than \$50,000 to the persons wholly dependent upon the deceased. For
4 purposes of this subsection, dependency shall be determined under ss. 102.49 and
5 102.51.

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8 ***-1335/7.57* SECTION 2557.** 103.49 (1) (f) of the statutes is amended to read:

8 103.49 (1) (f) "State agency" means any office, department, independent
9 agency, institution of higher education, association, society or other body in state
10 government created or authorized to be created by the constitution or any law,
11 including the legislature and the courts. "State agency" also includes the University
12 of Wisconsin Hospitals and Clinics Authority and the Fox River Navigational System
13 Authority.

14 ***-1335/7.58* SECTION 2558.** 103.49 (2) of the statutes is amended to read:

15 103.49 (2) PREVAILING WAGE RATES AND HOURS OF LABOR. Any contract hereafter
16 made for the erection, construction, remodeling, repairing, or demolition of any
17 project of public works, except contracts for the construction or maintenance of public
18 highways, streets, and bridges, to which the state, or any state agency ~~or the~~
19 ~~University of Wisconsin Hospitals and Clinics Authority~~ is a party shall contain a
20 stipulation that no person performing the work described in sub. (2m) may be
21 permitted to work a greater number of hours per day or per week than the prevailing
22 hours of labor, except that any such person may be permitted or required to work
23 more than such prevailing hours of labor per day and per week if he or she is paid
24 for all hours worked in excess of the prevailing hours of labor at a rate of at least 1.5
25 times his or her hourly basic rate of pay; nor may he or she be paid less than the

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1 prevailing wage rate determined under sub. (3) in the same or most similar trade or
2 occupation in the area wherein such project of public works is situated. A reference
3 to the prevailing wage rates determined under sub. (3) and the prevailing hours of
4 labor shall be published in the notice issued for the purpose of securing bids for the
5 project. If any contract or subcontract for a project that is subject to this section is
6 entered into, the prevailing wage rates determined under sub. (3) and the prevailing
7 hours of labor shall be physically incorporated into and made a part of the contract
8 or subcontract, except that for a minor subcontract, as determined by the
9 department, the department shall prescribe by rule the method of notifying the
10 minor subcontractor of the prevailing wage rates and prevailing hours of labor
11 applicable to the minor subcontract. The prevailing wage rates and prevailing hours
12 of labor applicable to a contract or subcontract may not be changed during the time
13 that the contract or subcontract is in force.

14 *b0461/1.2* SECTION 2558m. 103.49 (5) (a) of the statutes is amended to read:
15 103.49 (5) (a) Each contractor, subcontractor, or contractor's or subcontractor's
16 agent performing work on a project that is subject to this section shall keep full and
17 accurate records clearly indicating the name and trade or occupation of every person
18 performing the work described in sub. (2m) and an accurate record of the number of
19 hours worked by each of those persons and the actual wages paid for the hours
20 worked. If requested by any person, a contractor, subcontractor, or contractor's or
21 subcontractor's agent performing work on a project that is subject to this section
22 shall permit that person to inspect and copy any of those records to the same extent
23 as if the record were maintained by the department, except that s. 19.36 (3) does not
24 limit the duty of a subcontractor or a contractor's or subcontractor's agent to permit
25 inspection and copying of a record under this paragraph. Before permitting the

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SECTION 2558m

1 inspection and copying of a record under this paragraph, a contractor, subcontractor,
2 or contractor's or subcontractor's agent shall delete from the record any personally
3 identifiable information, as defined in s. 19.62 (5), contained in the record about any
4 person performing the work described in sub. (2m).

5 ~~5~~ *b0462/1.2* SECTION 2558j. 103.49 (3) (ar) of the statutes is amended to read:

6 103.49 (3) (ar) In determining prevailing wage rates under par. (a) or (am), the
7 department may not use data from projects that are subject to this section, s. 66.0903,
8 103.50, or 229.8275, or 40 USC 276a unless the department determines that there
9 is insufficient wage data in the area to determine those prevailing wage rates, in
10 which case the department may use data from projects that are subject to this
11 section, s. 66.0903, 103.50, or 229.8275, or 40 USC 276a. The department may also
12 use data from a project that is subject to this section, s. 66.0903, 103.50, or 229.8275,
13 or 40 USC 276a in determining prevailing wage rates under par. (a) or (am) if the
14 department determines that the wage rate paid on that project is higher than the
15 prevailing wage rate determined for that project.

16 ~~16~~ *-1335/7.59* SECTION 2559. 103.49 (7) (a) of the statutes is amended to read:

17 103.49 (7) (a) Except as provided under pars. (b) and (c), the department shall
18 distribute to all state agencies ~~and to the University of Wisconsin Hospitals and~~
19 ~~Clinics Authority~~ a list of all persons whom the department has found to have failed
20 to pay the prevailing wage rate determined under sub. (3) or has found to have paid
21 less than 1.5 times the hourly basic rate of pay for all hours worked in excess of the
22 prevailing hours of labor at any time in the preceding 3 years. The department shall
23 include with any name the address of the person and shall specify when the person
24 failed to pay the prevailing wage rate and when the person paid less than 1.5 times
25 the hourly basic rate of pay for all hours worked in excess of the prevailing hours of

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1 labor. A state agency or the University of Wisconsin Hospitals and Clinics Authority
2 may not award any contract to the person unless otherwise recommended by the
3 department or unless 3 years have elapsed from the date the department issued its
4 findings or date of final determination by a court of competent jurisdiction,
5 whichever is later.

6 *b0353/1.1* SECTION 2559g. 103.64 (1m) of the statutes is created to read:
7 103.64 (1m) "Farming" has the meaning given in s. 102.04 (3).

8 *b0353/1.1* SECTION 2559j. 103.67 (2) (e) of the statutes is amended to read:
9 103.67 (2) (e) Minors 12 years of age or older may be employed in agricultural
10 pursuits farming.

11 *b0353/1.1* SECTION 2559m. 103.70 (1) of the statutes is amended to read:
12 103.70 (1) Except as otherwise provided in sub. (2) and in ss. 103.21 to 103.31,
13 103.78, 938.245 (2) (a) 5. b., 938.32 (1t) (a) 2. and 938.34 (5) (b) and (5g) (c), and as
14 may be provided under s. 103.79, a minor, unless indentured as an apprentice in
15 accordance with s. 106.01, or unless 12 years and over and engaged in agricultural
16 pursuits farming, or unless 14 years and over and enrolled in a youth apprenticeship
17 program under s. 106.13, shall not be employed or permitted to work at any gainful
18 occupation or employment unless there is first obtained from the department or a
19 permit officer a written permit authorizing the employment of the minor within
20 those periods of time stated in the permit, which shall not exceed the maximum hours
21 prescribed by law.

22 *b0461/1.3* SECTION 2559g. 103.50 (6m) of the statutes is created to read:
23 103.50 (6m) RECORDS; INSPECTION. Each contractor, subcontractor, or
24 contractor's or subcontractor's agent performing work on a project that is subject to
25 this section shall keep full and accurate records clearly indicating the name and

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SECTION 2559g

1 trade or occupation of every person performing the work described in sub. (2m) and
2 an accurate record of the number of hours worked by each of those persons and the
3 actual wages paid for the hours worked. If requested by any person, a contractor,
4 subcontractor, or contractor's or subcontractor's agent performing work on a project
5 that is subject to this section shall permit that person to inspect and copy any of those
6 records to the same extent as if the record were maintained by the department,
7 except that s. 19.36 (3) does not limit the duty of a subcontractor or a contractor's or
8 subcontractor's agent to permit inspection and copying of a record under this
9 subsection. Before permitting the inspection and copying of a record under this
10 subsection, a contractor, subcontractor, or contractor's or subcontractor's agent shall
11 delete from the record any personally identifiable information, as defined in s. 19.62
12 (5), contained in the record about any person performing the work described in sub.
13 (2m).

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***b0351/1.3* SECTION 2560d.** 103.805 (1) of the statutes is amended to read:

16 103.805 (1) The department or a permit officer shall fix and collect a reasonable
17 fee based on the cost of issuance of collect a fee in the amount of \$7 for issuing permits
18 under ss. 103.25 and 103.71 and certificates of age under s. 103.75. The department
19 may authorize the retention of the fees by the A person designated to issue permits
20 and certificates of age as compensation for the person's services if the person who is
21 not on the payroll of the division administering this chapter may retain \$2.50 of that
22 fee as compensation for the person's services and shall forward \$4.50 of that fee to
23 the department, which shall deposit that amount forwarded into the general fund
24 and credit \$2 of that amount forwarded to the appropriation account under s. 20.445
25 (1) (j). A person designated to issue permits and certificates of age who is on the

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1 payroll of the division administering this chapter shall forward that fee to the
2 department, which shall deposit that fee into the general fund and credit \$2 of that
3 fee to the appropriation account under s. 20.445 (1) (j). The permit officer shall
4 account for all fees collected as the department prescribes.

5 ~~5~~ *b0390/1.3* SECTION 2560r. 106.01 (11) of the statutes is created to read:

6 106.01 (11) From the appropriation under s. 20.445 (1) (kt), the department
7 shall provide a trade masters pilot program to recognize advanced training and
8 postapprenticeship achievements in 3 trades, crafts, or businesses, one of which
9 shall be in the industrial sector, one in the construction sector, and one in the service
10 sector of the economy. By July 1, 2010, the department shall submit to the legislature
11 under s. 13.171 (2) an evaluation of the effectiveness of the program.

12 ~~12~~ *-1836/1.3* SECTION 2562. 106.12 (4) of the statutes is created to read:

13 106.12 (4) PUBLICATIONS AND SEMINARS. The board may provide publications
14 and seminars relating to the employment and education programs administered by
15 the board and may establish a schedule of fees for those publications and seminars.
16 Fees established under this subsection for publications and seminars provided by the
17 board may not exceed the actual cost incurred in providing those publications and
18 seminars. The fees collected under this subsection shall be credited to the
19 appropriation account under s. 20.445 (7) (ga).

20 ~~20~~ *b0470/1.1* SECTION 2562m. 106.13 (1) (a) of the statutes is amended to read:

21 106.13 (1) (a) A youth apprenticeship program that includes the grant
22 programs under subs. (3) (3m) and (4).

23 ~~23~~ *-2009/1.3* SECTION 2564. 106.13 (3m) (a) of the statutes is amended to read:

24 106.13 (3m) (a) In this subsection, “local partnership” means one or more
25 school districts, or any combination of one or more school districts, other public

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1 agencies, as defined in sub. (4) (a) 2., nonprofit organizations, as defined in sub. (4)
2 (a) ~~1.~~ 1r., individuals or other persons, who have agreed to be responsible for
3 implementing and coordinating a local youth apprenticeship program.

4 ***b0470/1.2* SECTION 2564m.** 106.13 (3m) (b) (intro.) of the statutes is
5 amended to read:

6 106.13 (3m) (b) (intro.) From the appropriation under s. 20.445 (7) (b), the
7 board shall award grants to applying local partnerships for the implementation and
8 coordination of local youth apprenticeship programs. A local partnership shall
9 include in its grant application the identity of each public agency, nonprofit
10 organization, individual, and other person who is a participant in the local
11 partnership, a plan to accomplish the implementation and coordination activities
12 specified in subds. 1. to 6., and the identity of a fiscal agent who shall be responsible
13 for receiving, managing, and accounting for the grant moneys received under this
14 paragraph. ~~A Subject to par. (c), a local partnership that is awarded a grant under~~
15 this paragraph may use the grant moneys awarded for any of the following
16 implementation and coordination activities:

17 ***b0470/1.2* SECTION 2564p.** 106.13 (3m) (c) of the statutes is created to read:

18 106.13 (3m) (c) A local partnership that is awarded a grant under par. (b) may
19 not use any of the grant moneys awarded to provide funding to a business that is
20 operated for profit or to a nonprofit organization that represents business interests.

21 ***-2009/1.4* SECTION 2565.** 106.13 (4) (a) 1. of the statutes is renumbered
22 106.13 (4) (a) 1r.

23 ***-2009/1.5* SECTION 2566.** 106.13 (4) (a) 1d. of the statutes is created to read:

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1 106.13 (4) (a) 1d. “Eligible employer” means an employer that is eligible to
2 receive a grant under this subsection according to the criteria established by the
3 board under par. (d).

4 ***-2009/1.6*** SECTION 2567. 106.13 (4) (b) of the statutes is amended to read:

5 106.13 (4) (b) From the appropriation under s. 20.445 (7) (em), the board may
6 award a grant to a public agency or a nonprofit organization, or to an eligible
7 employer that is responsible for the on-the-job training and supervision of a youth
8 apprentice. A public agency or non-profit nonprofit organization that receives a
9 grant under this subsection shall use the funds awarded under the grant to award
10 training grants to eligible employers that provide on-the-job training and
11 supervision for youth apprentices. Subject to par. (c), a training grant provided
12 under this subsection may be awarded to an eligible employer for each youth
13 apprentice who receives at least 180 hours of paid on-the-job training from the
14 eligible employer during a school year, as defined in s. 115.001 (13). The amount of
15 a training grant may not exceed \$500 per youth apprentice per school year. A
16 training grant may not be awarded for any specific youth apprentice for more than
17 2 school years.

18 ***-2009/1.7*** SECTION 2568. 106.13 (4) (c) of the statutes is amended to read:

19 106.13 (4) (c) Notwithstanding par. (b), the board may award a training grant
20 under this subsection to an eligible employer that provides less than 180 hours of
21 paid on-the-job training for a youth apprentice during a school year, as defined in
22 s. 115.001 (13), if the board determines that it would be beneficial for the youth
23 apprentice to receive on-the-job training from more than one eligible employer.

24 ***-2009/1.8*** SECTION 2569. 106.13 (4) (d) of the statutes is created to read:

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1 106.13 (4) (d) The board shall establish eligibility criteria for a grant under this
2 subsection. That criteria shall specify that eligibility for a grant shall be limited to
3 small employers, as determined by the board, and to employers providing on-the-job
4 training in employment areas determined by the board. Notwithstanding sub. (5),
5 those criteria need not be promulgated as rules.

6 *~~2009/1.9~~* **SECTION 2570.** 106.14 (1) of the statutes is renumbered 106.14 and
7 amended to read:

8 **106.14 Job centers and career counseling centers.** The department shall
9 provide a job center network throughout the state through which job seekers may
10 receive comprehensive career planning, job placement, and job training information.
11 ~~As part of the job center network, the department shall provide career counseling~~
~~12 centers at which youths may receive the services specified in sub. (2).~~

~~13~~ ***b0352/1.5* SECTION 2571d.** 106.14 (2) of the statutes is repealed.

~~14~~ *~~1335/7.60~~* **SECTION 2575.** 106.215 (1) (e) of the statutes is amended to read:

15 106.215 (1) (e) "Local unit of government" means the governing body of any city,
16 town, village, county, county utility district, town sanitary district, public inland lake
17 protection and rehabilitation district, metropolitan sewerage district or school
18 district, ~~the Fox-Winnebago regional management commission~~ or the elected tribal
~~19 governing body of a federally recognized American Indian tribe or band.~~

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24 *~~0671/4.1~~* **SECTION 2593.** 106.215 (10) (fm) 1. of the statutes is amended to
read:

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

~~2~~
~~3~~

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

5 106.215 (10) (g) 3. The education voucher is valid for ~~3~~ 4 years after the date
6 of issuance for the payment of tuition and required program activity fees at any
7 institution of higher education, as defined under s. ~~39.32 (1) (a)~~, which in 20 USC
8 1002, that accepts the voucher, and the ^{board} shall authorize payment to the
9 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.

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12 ~~*-0015/1.1*~~ SECTION 2605. 110.20 (6) (a) 1. of the statutes is amended to read:

13 110.20 (6) (a) 1. For a nonexempt vehicle required to be registered on an annual
14 or other periodic basis in this state, within ~~90 days~~ the period of time specified by the
15 department under sub. (9) (d) prior to renewal of registration in the 2nd year after
16 the nonexempt vehicle's model year and every 2 years thereafter, except as provided
17 in sub. (9) (j).

18 ~~*-0015/1.2*~~ SECTION 2606. 110.20 (9) (d) of the statutes is amended to read:

19 110.20 (9) (d) Specify a period of time during which an emissions inspection
20 must be performed for a nonexempt vehicle subject to sub. (6) (a) 1. or 2.

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~~*-2338/1.1*~~ SECTION 2610. 111.70 (4) (jm) 4. k. of the statutes is created to read:

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1 111.70 (4) (jm) 4. k. Establish a system for conducting interrogations of
 2 members of the police department that is limited to the hours between 7 a.m. and 5
 3 p.m. on working days, as defined in s. 227.01 (14), if the interrogations could lead to
 4 disciplinary action, demotion, or dismissal, but one that does not apply if the
 5 interrogation is part of a criminal investigation.

6 *[Handwritten signature]*

***b0516/2.1* SECTION 2615t.** 114.31 (3) (b) of the statutes is amended to read:

8 114.31 (3) (b) From the appropriation under s. 20.395 (2) (ds), the department
 9 shall administer an aviation career education program to provide training and
 10 apprenticeship opportunities associated with aviation careers for socially and
 11 economically disadvantaged youth. If there are interested and eligible participants
 12 for the program in the city of Green Bay, the department shall offer the program in
 13 the city of Green Bay.

14 *[Handwritten scribbles]*

***-1694/11.12* SECTION 2622.** 115.28 (27) of the statutes is repealed.

15 *[Handwritten signature]*

***-1694/11.13* SECTION 2625.** 115.28 (42) of the statutes is created to read:

17 115.28 (42) WISCONSIN GEOGRAPHIC EDUCATION PROGRAM. Enter into an
 18 agreement with the National Geographic Society Education Foundation to establish
 19 a geographical education program in this state. The agreement shall require each
 20 of the following:

21 (a) That the National Geographic Society Education Foundation shall
 22 establish and manage a trust fund consisting of any grant made under 2001
 23 Wisconsin Act (this act), section 9101 (10) (b), and \$500,000 in matching funds
 24 provided by the Foundation.

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1 (b) That, from the trust fund established under par. (a) and any income thereon,
2 the National Geographic Society Education Foundation shall award grants and
3 support programs for improving geographical education in this state, with an
4 emphasis on improving student use of geographic information systems technology.

5 (c) That the National Geographic Society Education Foundation annually
6 submit to the department an audited financial statement of the trust fund
7 established under par. (a) that is prepared by an independent auditor and a report
8 listing the names of grant recipients and the amounts and purposes of awards and
9 other expenditures made from the trust fund.

10 (d) That, if the trust fund established under par. (a) is dissolved, the National
11 Geographic Society Education Foundation shall return to the department the grant
12 made under 2001 Wisconsin Act (this act), section 9101 (10) (b), and unexpended
13 income thereon.

14 (e) That the agreement is not effective unless the secretary of administration
15 determines that the transfer between the appropriation accounts described under
16 2001 Wisconsin Act (this act), section 9101 (10) (b), has occurred and that the
17 National Geographic Society Education Foundation has provided the matching
18 funds described in par. (a).

~~19~~ *b0443/1.3* SECTION 2625m. 115.28 (45) of the statutes is created to read:

20 115.28 (45) SPECIAL COUNSELOR GRANTS. From the appropriation under s. 20.255
21 (2) (kL), award grants to school districts, cooperative educational service agencies,
22 consortia consisting of 2 or more school districts or cooperative educational service
23 agencies, or an educational organization that serves pupils in any grade from
24 kindergarten to 12, if the school district, cooperative educational service agency, or
25 educational organization serves American Indian pupils or borders on an American

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1 Indian reservation, for the purpose of employing counselors to help American Indian
2 pupils adjust to the school districts in which they are enrolled.

3
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***b0539/2.1* SECTION 2641m.** 115.38 (2) of the statutes is repealed and
5 recreated to read:

6 115.38 (2) Upon request, each school board shall produce a copy of the most
7 recent school and school district performance report to each parent or guardian of a
8 pupil enrolled in the school district or enrolled in a charter school located in the
9 school district, and, if the school district maintains an Internet site, shall make the
10 report available to the public at that site.

11

***NOTE: This section refers to s. 118.39 (5), which is created in LRB-1693. If that
draft is deleted from the bill, this section must be changed.

12

***-1151/4.5* SECTION 2649.** 115.42 (1) (a) 3. of the statutes is repealed.

13 ***-1151/4.6* SECTION 2650.** 115.42 (1) (b) of the statutes is amended to read:

14 115.42 (1) (b) The grant under this subsection shall be an amount equal to the
15 costs of obtaining certification under par. (a) 1. that are borne by the person, not to
16 exceed \$2,000. The department shall award the grant under this subsection ~~in the~~
17 ~~school year in which the person is certified under par. (a) 1., except that if the person~~
18 ~~becomes certified under par. (a) 1. while he or she is not a resident of this state, the~~
19 ~~department shall award the grant under this subsection~~ in the first school year in
20 which the person meets the requirements under par. (a).

21 ***-1151/4.7* SECTION 2651.** 115.42 (2) (intro.) of the statutes is renumbered
22 115.42 (2) (a) (intro.) and amended to read:

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1 115.42 (2) (a) (intro.) The department shall award ~~a~~ 9 grants of \$2,500 grant
2 each to each person who received a grant under sub. (1) ~~in each of the 9 school years~~
3 ~~following the school year in which he or she received the grant~~ if the person satisfies
4 all of the following requirements:

5 *~~1151/4.8~~* SECTION 2652. 115.42 (2) (a) and (b) of the statutes are renumbered
6 115.42 (2) (a) 1. and 2.

7 *~~1151/4.9~~* SECTION 2653. 115.42 (2) (bL) of the statutes is created to read:

8 115.42 (2) (bL) The department shall award the grants under this subsection
9 annually, one grant in each of the school years following the school year in which the
10 grant under sub. (1) was awarded and in which the person satisfies the requirements
11 under par. (a).

12 *~~1151/4.10~~* SECTION 2654. 115.42 (2) (c) of the statutes is repealed.

13 *~~1151/4.11~~* SECTION 2655. 115.42 (2) (d) of the statutes is renumbered 115.42

~~14~~ (2) (a) 4.

~~15~~
16 *~~0886/3.8~~* SECTION 2667. 115.88 (2) of the statutes is amended to read:

17 115.88 (2) TRANSPORTATION AID. If upon receipt of the plan under s. 115.77 (4)
18 the state superintendent is satisfied that the transportation of children with
19 disabilities has been maintained during the preceding year in accordance with the
20 law, the state superintendent shall certify to the department of administration in
21 favor of each county, cooperative educational service agency, or school district
22 transporting such pupils an amount equal to the amount expended for such
23 transportation as costs eligible for reimbursement from the ~~appropriations~~
24 appropriation under s. 20.255 (2) (b) ~~and (br)~~. Pupils for whom aid is paid under this
25 subsection shall not be eligible for aid under s. 121.58 (2) or (4). This subsection

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1 applies to any child with a disability who requires special assistance in
2 transportation, including any such child attending regular classes who requires
3 special or additional transportation. This subsection does not apply to any child with
4 a disability attending regular or special classes who does not require any special or
5 additional transportation.

6

***b0502/1.2* SECTION 2668m.** 115.88 (8m) of the statutes is created to read:

8 115.88 (8m) SUPPLEMENTAL AID. (a) In this subsection, "additional costs" means
9 the costs of nursing services and assistive technology.

10 (b) If an operator of a charter school established under s. 118.40 (2r), a school
11 district, a county, or a cooperative educational service agency incurs special
12 education costs for a pupil that equal or exceed an amount equal to 3 times the cost
13 of the state average cost per pupil in the previous school year, as determined by the
14 department by rule, the department shall, beginning in the 2002-03 school year,
15 reimburse the operator, school district, county, or cooperative educational service
16 agency from the appropriation under s. 20.255 (2) (b) an amount calculated as
17 follows:

18 1. For each special education pupil, determine the amount of aidable costs
19 under subs. (1) to (6) and (8) in the previous school year.

20 2. Subtract from the amount under subd. 1. the amount of aid paid under this
21 section for those costs.

22 3. Add to the remainder under subd. 2. the additional costs associated with that
23 pupil in the previous school year.

24 4. Subtract an amount equal to 3 times the cost of the state average cost per
25 pupil in the previous school year from the result under subd. 3.

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1 5. Multiply the result under subd. 4. by 0.90.

2 (c) An operator, school district, county, or cooperative educational service
3 agency seeking aid under this subsection shall submit a claim for aid to the
4 department no later than September 1 of the school year following the school year
5 in which the costs were incurred.

6 ***b0502/1.2* SECTION 2668n.** 115.882 of the statutes is amended to read:

7 **115.882 Payment of state aid.** Funds appropriated under s. 20.255 (2) (b)
8 shall be used first for the ~~purpose~~ purposes of s. 115.88 (4) and (8m). Costs eligible
9 for reimbursement from the appropriations under s. 20.255 (2) (b) and (br) under ss.
10 115.88 (1m) to (3), (6) and (8), 115.93 and 118.255 (4) shall be reimbursed at a rate
11 set to distribute the full amount appropriated for reimbursement for such costs, not
12 to exceed 100%.

~~12~~
~~13~~
13 ***b0619/2.1* SECTION 2679m.** 118.135 of the statutes is created to read:

14 **118.135 Eye examinations.** (1) Beginning in the 2002–03 school year, each
15 school board and each charter school shall request each pupil entering kindergarten
16 to provide evidence that the pupil has had his or her eyes examined by an optometrist
17 licensed under ch. 449 or by a physician. The examination shall include all of the
18 following:

- 19 (a) A brief history of general health and eye health of the child and of the child's
20 family.
- 21 (b) General external observation of the child's eyes and surrounding structures.
- 22 (c) An examination of the inside of the child's eyes through undilated pupils.
- 23 (d) A gross measurement of the child's peripheral vision.
- 24 (e) An evaluation of the coordination and function of the child's eyes.
- 25 (f) An examination of the visual acuity of each of the child's eyes.

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SECTION 2679m

1 (2) A pupil who complies with a request under sub. (1) shall provide evidence
2 of an eye examination by December 31 following the pupil's enrollment in
3 kindergarten. The school board or charter school shall provide pupils with the form
4 distributed by the department of regulation and licensing under s. 440.03 (16) for
5 that purpose.

6 (3) To the extent feasible, the medical examining board and the optometry
7 examining board shall encourage physicians and optometrists, for the purpose of this
8 section, to conduct free eye examinations of pupils who are in financial need and do
9 not have insurance coverage for eye examinations.

10

11

12

-2358/4.21 *-0888/1.1* SECTION 2700. 118.30 (1m) (a) of the statutes is

13 amended to read:

14 118.30 (1m) (a) 1. Except as provided in sub. (6), administer the 4th grade
15 examination adopted or approved by the state superintendent under sub. (1) to all
16 pupils enrolled in the school district, including pupils enrolled in charter schools
17 located in the school district, in the 4th grade. ~~Beginning on July 1, 2002, if the~~
18 ~~school board has not developed and adopted its own 4th grade examination, the~~
19 ~~school board shall provide a pupil with at least 2 opportunities to take the~~
20 ~~examination administered under this subdivision.~~

21 2. Beginning on July 1, 2002, if the school board has developed or adopted its
22 own 4th grade examination, administer that examination to all pupils enrolled in the
23 school district, including pupils enrolled in charter schools located in the school
24 district, in the 4th grade. ~~The school board shall provide a pupil with at least 2~~
25 ~~opportunities to take the examination administered under this subdivision.~~

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1

-2358/4.23 *-0888/1.2* SECTION 2702. 118.30 (1m) (am) of the statutes is

2 amended to read:

3 118.30 (1m) (am) 1. Except as provided in sub. (6), administer the 8th grade
4 examination adopted or approved by the state superintendent under sub. (1) to all
5 pupils enrolled in the school district, including pupils enrolled in charter schools
6 located in the school district, in the 8th grade. ~~Beginning on July 1, 2002, if the~~
7 ~~school board has not developed and adopted its own 8th grade examination, the~~
8 ~~school board shall provide a pupil with at least 2 opportunities to take the~~
9 ~~examination administered under this subdivision.~~

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

(NS)
965/16

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16

-2358/4.25 *-0888/1.3* SECTION 2704. 118.30 (1r) (a) of the statutes is

17 amended to read:

18 118.30 (1r) (a) 1. Except as provided in sub. (6), administer the 4th grade
19 examination adopted or approved by the state superintendent under sub. (1) (a) to
20 all pupils enrolled in the charter school in the 4th grade. ~~Beginning on July 1, 2002,~~
21 ~~if the operator of the charter school has not developed or adopted its own 4th grade~~
22 ~~examination, the operator of the charter school shall provide a pupil with at least 2~~
23 ~~opportunities to take the examination administered under this subdivision.~~

24 2. Beginning on July 1, 2002, if the operator of the charter school has developed
25 or adopted its own 4th grade examination, administer that examination to all pupils

SENATE BILL 55

1 enrolled in the charter school in the 4th grade. ~~The operator of the charter school~~
2 ~~shall provide a pupil with at least 2 opportunities to take the examination~~
3 ~~administered under this subdivision.~~

4 ~~*-2358/4.27* *-0888/1.4* SECTION 2706.~~ 118.30 (1r) (am) of the statutes is
5 amended to read:

6 118.30 (1r) (am) 1. Except as provided in sub. (6), administer the 8th grade
7 examination adopted or approved by the state superintendent under sub. (1) (a) to
8 all pupils enrolled in the charter school in the 8th grade. ~~Beginning on July 1, 2002,~~
9 ~~if the operator of the charter school has not developed and adopted its own 8th grade~~
10 ~~examination, the operator of the charter school shall provide a pupil with at least 2~~
11 ~~opportunities to take the examination administered under this subdivision.~~

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

17 ~~*-2358/4.31* *-0910/5.3* SECTION 2710.~~ 118.30 (2) (b) 2. of the statutes is
18 amended to read:

19 118.30 (2) (b) 2. According to criteria established by the ^{the} state superintendent
20 ~~by rule, the school board or operator of the charter school under s. 118.40 (2r) may~~
21 ~~determine not to administer an examination under this section to a limited-English~~
22 ~~proficient pupil, as defined under s. 115.955 (7), may permit the pupil to be examined~~
23 ~~in his or her native language, or may modify the format and administration of an~~
24 ~~examination for such pupils.~~

Plain text

Deleted Per Peter Grant.
KG

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out per
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****NOTE: Peter: I repealed this because it is obsolete. If you want a new audit to be conducted, please let me know, and I will redraft accordingly.

-0956/6.3 SECTION 2729. 118.43 (2) (f) of the statutes is repealed.

-0956/6.4 SECTION 2730. 118.43 (2) (g) of the statutes is created to read:

118.43 (2) (g) The department may renew an achievement guarantee contract under pars. (b), (bg), and (br) for one or more terms of 5 school years. As a condition of receiving payments under a renewal of an achievement guarantee contract, a school board shall maintain the reduction of class size achieved during the last school year of the original achievement guarantee contract for the grades specified for the last school year of the contract.

-0956/6.8 SECTION 2734. 118.43 (6) (b) 7. of the statutes is amended to read:

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

-0956/6.9 SECTION 2735. 118.43 (6) (b) 8. of the statutes is amended to read:

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

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1 ***-0947/1.1* SECTION 2738.** 118.51 (3) (a) 2. of the statutes is amended to read:

2 118.51 (3) (a) 2. A nonresident school board may not act on any application
3 received under subd. 1. until after the 3rd Friday following the first Monday in
4 February. If a nonresident school board receives more applications for a particular
5 grade or program than there are spaces available in the grade or program, the
6 nonresident school board shall determine which pupils to accept on a random basis,
7 after giving preference to pupils and to siblings of pupils who are already attending
8 public school in the nonresident school district. If a nonresident school board
9 determines that space is not otherwise available for open enrollment pupils in the
10 grade or program to which an individual has applied, the school board may
11 nevertheless accept an applicant who is already attending school in the nonresident
12 school district or a sibling of the applicant.

13 ***-0947/1.2* SECTION 2739.** 118.51 (4) (a) 3. of the statutes is amended to read:

14 118.51 (4) (a) 3. A statement of the preference required under sub. ~~(5)(e)~~ (3) (a)
15 2.

16 ***-0947/1.3* SECTION 2740.** 118.51 (5) (a) (intro.) of the statutes is amended to
17 read:

18 118.51 (5) (a) *Permissible criteria.* (intro.) Except as provided in ~~par. (e)~~ sub.
19 (3) (a) 2., the criteria for accepting and rejecting applications from nonresident pupils
20 under sub. (3) (a) may include only the following:

21 ***-0947/1.4* SECTION 2741.** 118.51 (5) (a) 1. of the statutes is amended to read:

22 118.51 (5) (a) 1. The availability of space in the schools, programs, classes, or
23 grades within the nonresident school district, ~~including any.~~ In determining the
24 availability of space, the nonresident school board may consider criteria such as class
25 size limits, pupil-teacher ratios, pupils attending the school district for whom tuition

SENATE BILL 55

1 is paid under s. 121.78 (1) (a) or enrollment projections established by the
2 nonresident school board and may include in its count of occupied spaces pupils
3 attending the school district for whom tuition is paid under s. 121.78 (1) (a) and
4 pupils and siblings of pupils who have applied under sub. (3) (a) and are already
5 attending public school in the nonresident school district.

6 ***-0947/1.5* SECTION 2742.** 118.51 (5) (c) of the statutes is repealed.

7 ***-0892/1.3* SECTION 2744.** 118.52 (11) (b) of the statutes is amended to read:

8 118.52 (11) (b) *Low-income assistance.* The parent of a pupil who is attending
9 a course in a public school in a nonresident school district under this section may
10 apply to the department for reimbursement of the costs incurred by the parent for
11 the transportation of the pupil to and from the pupil's residence or school in which
12 the pupil is enrolled and the school at which the pupil is attending the course if the
13 pupil and parent are unable to pay the cost of such transportation. The department
14 shall determine the reimbursement amount and shall pay the amount from the
15 appropriation under s. 20.255 (2) (ew) (cy). The department shall give preference
16 under this paragraph to those pupils who are eligible for a free or reduced-price
17 lunch under 42 USC 1758 (b).

18 ******NOTE:** This is reconciled s. 119.23 (2) (a) (intro.). This SECTION has been affected
19 by LRB-1692 and LRB-1697.

20 ***-1598/1.6* SECTION 2755.** 119.48 (4) (b) of the statutes is amended to read:

21 119.48 (4) (b) The communication shall state the purposes for which the funds
22 from the increase in the levy rate will be used and shall request the common council
23 to submit to the voters of the city the question of exceeding the levy rate specified in
s. 65.07 (1) (f) ~~at the September election or a special election.~~

SENATE BILL 55**SECTION 2756**

1 *~~1598/1.7~~* **SECTION 2756.** 119.48 (4) (c) of the statutes is amended to read:

2 119.48 (4) (c) Upon receipt of the communication, the common council shall file
3 the communication as provided in s. 8.37 and shall cause the question of exceeding
4 the levy rate specified under s. 65.07 (1) (f) to be submitted to the voters of the city
5 at the ~~September election or at a special election~~ next regularly scheduled spring
6 election or general election that occurs not sooner than 42 days after receipt of the
7 communication or at a special election held on the Tuesday after the first Monday in
8 November in an odd-numbered year if that date occurs not sooner than 42 days after
9 receipt of the communication. The question of exceeding the levy rate specified under
10 s. 65.07 (1) (f) shall be submitted so that the vote upon exceeding the levy rate
11 specified in s. 65.07 (1) (f) is taken separately from any other question submitted to
12 the voters. If a majority of the electors voting on the question favors exceeding the
13 levy rate specified under s. 65.07 (1) (f), the common council shall approve the
14 increase in the levy rate and shall levy and collect a tax equal to the amount of money
15 approved by the electors.

16 *~~1598/1.8~~* **SECTION 2757.** 119.49 (1) (b) of the statutes is amended to read:

17 119.49 (1) (b) The communication shall state the amount of funds needed under
18 par. (a) and the purposes for which the funds will be used and shall request the
19 common council to submit to the voters of the city ~~at the next election held in the city~~
20 the question of issuing school bonds in the amount and for the purposes stated in the
21 communication.

22 *~~1598/1.9~~* **SECTION 2758.** 119.49 (2) of the statutes is amended to read:

23 119.49 (2) Upon receipt of the communication, the common council shall file
24 the communication as provided in s. 8.37 and shall cause the question of issuing such
25 school bonds in the stated amount and for the stated school purposes to be submitted

SENATE BILL 55

1 to the voters of the city at the next ~~election held in the city~~ regularly scheduled spring
2 election or general election that occurs not sooner than 42 days after receipt of the
3 communication or at a special election held on the Tuesday after the first Monday in
4 November in an odd-numbered year if that date occurs not sooner than 42 days after
5 receipt of the communication. The question of issuing such school bonds shall be
6 submitted so that the vote upon issuing such school bonds is taken separately from
7 any other question submitted to the voters. If a majority of the electors voting on the
8 school bond question favors issuing such school bonds, the common council shall
9 cause the school bonds to be issued immediately or within the period permitted by
10 law, in the amount requested by the board and in the manner other bonds are issued.

~~11~~ ***-1396/1.1* SECTION 2761.** 121.004 (6) of the statutes is amended to read:

12 121.004 (6) NET COST. The “net cost” of a fund means the gross cost of that fund
13 minus all nonduplicative revenues and other financing sources of that fund except
14 property taxes ~~and~~, general aid, and aid received under s. 79.095 (4). In this
15 subsection, “nonduplicative revenues” includes federal financial assistance under 20
16 USC 236 to 245, to the extent permitted under federal law and regulations.

17 ***-0886/3.9* SECTION 2762.** 121.007 of the statutes is amended to read:

18 **121.007 Use of state aid; exemption from execution.** All moneys paid to
19 a school district under s. 20.255 (2) (ac), (bc), (cg), and (cr) ~~and (q)~~ shall be used by
20 the school district solely for the purposes for which paid. Such moneys are exempt
21 from execution, attachment, garnishment, or other process in favor of creditors,
22 except as to claims for salaries or wages of teachers and other school employees and
23 as to claims for school materials, supplies, fuel, and current repairs.

~~24~~ ***b0539/2.2* SECTION 2763m.** 121.02 (1) (o) of the statutes is amended to read:

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SECTION 2763m

1 121.02 (1) (o) ~~Annually distribute the performance disclosure report under~~
2 ~~comply with the requirements of s. 115.38 (2).~~ The school board may include
3 additional information in the report under s. 115.38 (2).

4
5 ***b0494/1.2* SECTION 2765z.** 121.07 (6) (d) of the statutes is repealed and
6 recreated to read:

7 121.07 (6) (d) The “secondary ceiling cost per member” in the 2001–02 school
8 year and in each school year thereafter is an amount determined by dividing the state
9 total shared cost in the previous school year by the state total membership in the
10 previous school year and multiplying the result by 0.90.

11 ***b0682/2.3* SECTION 2767f.** 121.07 (7) (b) of the statutes is amended to read:

12 121.07 (7) (b) The “secondary guaranteed valuation per member” is an amount,
13 rounded to the next lower dollar, that, after subtraction of payments under ss. 121.09
14 and 121.85 (6) (b) 2. and 3. and (c), fully distributes an amount equal to the amount
15 remaining in the appropriation under s. 20.255 (2) (ac) plus ~~\$75,000,000 in the~~
16 ~~1997–98 school year and \$100,000,000 in the 1998–99~~ \$115,000,000 in the 2002–03
17 school year for payments under ss. 121.08, 121.105, 121.85 (6) (a) and (g) and 121.86.

18 ***b0682/2.3* SECTION 2767m.** 121.085 of the statutes is created to read:

19 **121.085 Interest on delayed payment.** Beginning in 2003, annually on the
20 3rd Monday in June, from the appropriation under s. 20.255 (2) (am), the department
21 shall pay to each school district an amount equal to the interest that the school
22 district would have earned on its portion of the delayed school aid payment under s.
23 121.15 (1m) (a) 4. if the school aid payment had been made on the 3rd Monday in June
24 instead of on the 4th Monday in July. Interest shall be calculated using the
25 annualized rate of return on investments in the state investment fund for April.

SENATE BILL 55

1 ***-0886/3.10*** SECTION 2768. 121.09 (1) of the statutes is amended to read:

2 121.09 (1) If, on or after July 1, 1980, the tax appeals commission or a court
3 makes a final redetermination on the assessment of property subject to taxation
4 under s. 70.995 that is lower than the previous assessment, or if, on or after January
5 1, 1982, the state board of assessors makes a final redetermination on the
6 assessment of property subject to taxation under s. 70.995 that is lower than the
7 previous assessment, the school board of the school district in which the property is
8 located may, within 4 years after the date of the determination, decision, or
9 judgment, file the determination of the state board of assessors, the decision of the
10 tax appeals commission, or the judgment of the court with the state superintendent,
11 requesting an adjustment in state aid to the school district. If the state
12 superintendent determines that the determination, decision, or judgment is final
13 and that it has been filed within the 4-year period, the state shall pay to the school
14 district in the subsequent fiscal year, from the ~~appropriations~~ appropriation under
15 s. 20.255 (2) (ac) and ~~(g)~~, an amount equal to the difference between the state aid
16 computed under s. 121.08 for the school year commencing after the year subject to
17 the valuation recertification, using the school district's equalized valuation as
18 originally certified, and the state aid computed under s. 121.08 for that school year
19 using the school district's equalized valuation as recertified under s. 70.57 (2).

20 ***-1395/3.1*** SECTION 2769. 121.105 (2) (a) 1. of the statutes is renumbered
21 121.105 (2) (am) and amended to read:

22 121.105 (2) (am) If a school district would receive less in state aid in the current
23 year before any adjustment is made under s. 121.15 (4) (b) than an amount equal to
24 85% of the sum of the state aid that it received in the previous school year and the
25 adjustment, if any, made under s. 121.15 (4) (b) in the current school year, its state

SENATE BILL 55**SECTION 2769**

1 aid for the current school year shall be increased to an amount equal to 85% of the
2 state aid received in the previous school year.

3 ***-1395/3.2* SECTION 2770.** 121.105 (2) (a) 2. of the statutes is repealed.

4 ***-1395/3.3* SECTION 2771.** 121.105 (2) (a) 3. of the statutes is repealed.

5 ***-0886/3.11* SECTION 2772.** 121.105 (3) of the statutes is amended to read:

6 121.105 (3) In the school year in which a school district consolidation takes
7 effect under s. 117.08 or 117.09 and in each of the subsequent 4 school years, the
8 consolidated school district's state aid shall be an amount that is not less than the
9 aggregate state aid received by the consolidating school districts in the school year
10 prior to the school year in which the consolidation takes effect. The additional state
11 aid shall be paid from the ~~appropriations~~ appropriation under s. 20.255 (2) (ac) and
12 (e).

~~13~~ ***-0886/3.13* SECTION 2776.** 121.15 (1m) (a) 1. of the statutes is repealed.

14 ***-0886/3.14* SECTION 2777.** 121.15 (1m) (a) 2. of the statutes is repealed.

~~15~~ ***b0682/2.5* SECTION 2777g.** 121.15 (1m) (a) 4. of the statutes is created to
16 read:

17 121.15 (1m) (a) 4. Beginning in the 2002-03 school year, from the
18 appropriation under s. 20.255 (2) (ac), annually the state shall pay to school districts
19 an amount determined as follows on the 4th Monday in July of the following school
20 year:

21 a. Subtract the amount transferred to the tax relief fund under s. 16. 518 (4)
22 from the amount calculated by the secretary of administration under s. 16.518 (4).

23 b. Subtract the remainder under subd. 1. a. from \$115,000,000.

24 ***b0682/2.5* SECTION 2777r.** 121.15 (1m) (b) of the statutes is amended to read:

SENATE BILL 55

1 121.15 (1m) (b) The percentages under subs. (1) (a) and (1g) (a) shall be reduced
2 proportionally to reflect the payments made under par. (a) 3. The percentage for
3 June under subs. (1) (a) and (1g) (a) shall also be reduced to reflect the payment made
4 under par. (a) 4. School districts shall treat the payments made in July under par.
5 (a) as if they had been received in the previous school year.

6 *-0886/3.16* SECTION 2779. 121.15 (3m) (a) 1. of the statutes is amended to
7 read:

8 121.15 (3m) (a) 1. "Partial school revenues" means the sum of state school aids,
9 other than the ^{ce} amounts appropriated under s. 20.255 (2) (bi) ^{Plan A} (am) and (cv); property
10 taxes levied for school districts; and aid paid to school districts under s. 79.095 (4),
11 less the amount of any revenue limit increase under s. 121.91 (4) (a) 2. due to a school
12 board's increasing the services that it provides by adding responsibility for providing
13 a service transferred to it from another school board, less the amount of any revenue
14 limit increase under s. 121.91 (4) (a) 3. and, less the amount of any revenue limit
15 increase under s. 121.91 (4) (h), and less the amount of any property taxes levied for
16 the purpose of s. 120.13 (19).

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17 *b0682/2.8* SECTION 2779m. 121.15 (3m) (a) 2. of the statutes is amended to
18 read:

19 121.15 (3m) (a) 2. "State school aids" means those aids appropriated under s.
20 20.255 (2), other than s. 20.255 (2) (am), (fm), (fu), (k) and (m), and under ss. 20.275
21 (1) (d), (es), (et) and (f) and 20.285 (1) (ee), (r) and (rc) and those aids appropriated
22 under s. 20.275 (1) (s) that are used to provide grants or educational
23 telecommunications access to school districts under s. 44.73.

24 ~~-0940/4.1* SECTION 2780. 121.79 (1) (d) (intro.) of the statutes is amended to~~
25 read: