

1 year preceding that submission, were enrolled in the conservation reserve program  
2 under 16 USC 3831 to 3836.

3 **\*-0662/3.9\* SECTION 2479.** 101.143 (4) (ei) 1. b. of the statutes is renumbered  
4 101.143 (4) (ei) 2m.

5 **\*-0662/3.10\* SECTION 2480.** 101.143 (4) (ei) 1m. (intro.) of the statutes is  
6 created to read:

7 101.143 (4) (ei) 1m. (intro.) One of the following conditions is satisfied:

8 **\*b0211/1.2\* SECTION 2481b.** 101.143 (4) (ei) 1m. b. of the statutes is created  
9 to read:

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

22 **\*-0662/3.12\* SECTION 2482.** 101.143 (4) (ei) 2. of the statutes is renumbered  
23 101.143 (4) (a) 5m. and amended to read:

24 101.143 (4) (a) 5m. The department shall review claims related to discharges  
25 from farm tanks described in subd. 1. par. (ei) as soon as the claims are received. The

1 department shall issue an award for an eligible discharge from a farm tank described  
2 in subd. 1. par. (ei) as soon as it completes the review of the claim.

3 \*b0202/1.3\* SECTION 2483k. 101.143 (6s) of the statutes is amended to read:

4 101.143 (6s) ARBITRATION. Upon the request of a person who files an appeal of  
5 a decision of the department under this section, if the amount at issue is \$20,000  
6 \$100,000 or less, the appeal shall be heard by one or more individuals designated by  
7 the department to serve as arbitrator under rules promulgated for this purpose by  
8 the department. In such an arbitration, the arbitrator shall render a decision at the  
9 conclusion of the hearing, or within 5 business days after the conclusion of the  
10 hearing if the arbitrator determines that additional time is needed to review  
11 materials submitted during the hearing, affirming, modifying or rejecting the  
12 decision of the department. The arbitrator shall promptly file his or her decision with  
13 the department. The decision of the arbitrator is final and shall stand as the decision  
14 of the department. An arbitrator's decision may not be cited as precedent in any  
15 other proceeding before the department or before any court. A decision under this  
16 subsection is subject to review under ss. 227.53 to 227.57 only on the ground that the  
17 decision was procured by corruption, fraud or undue means. The record of a  
18 proceeding under this subsection shall be transcribed as provided in s. 227.44 (8).

19 \*-1815/7.8\* SECTION 2485. 101.143 (9m) (g) 2. of the statutes is amended to  
20 read:

21 101.143 (9m) (g) 2. Revenue obligations issued under this subsection may not  
22 exceed \$270,000,000 \$342,000,000 in principal amount, excluding any obligations  
23 that have been defeased under a cash optimization program administered by the  
24 building commission. In addition to this limit on principal amount, the building  
25 commission may contract revenue obligations under this subsection as the building

1 commission determines is desirable to fund or refund outstanding revenue  
2 obligations, to pay issuance or administrative expenses, to make deposits to reserve  
3 funds, or to pay accrued or capitalized interest.

4 **\*-0664/2.3\* SECTION 2490.** 101.19 (1) (b) of the statutes is amended to read:

5 101.19 (1) (b) The required inspection of boilers, pressure vessels, refrigeration  
6 plants, ~~petroleum and liquefied petroleum gas vessels~~, anhydrous ammonia tanks  
7 and containers, elevators, ski towing and lift devices, escalators, dumbwaiters, and  
8 amusement or thrill rides but not of amusement attractions.

9 **\*b0631/1.1\* SECTION 2490r.** 101.563 of the statutes is created to read:

10 **101.563 Administration of fire dues program pending rule changes. (1)**

11 ENTITLEMENT TO DUES. Notwithstanding ss. 101.573 (3) (a) and 101.575 (1) and (3) to  
12 (5) and except as provided in sub. (3), the department may not withhold payment of  
13 fire department dues under ss. 101.573 and 101.575 to a city, village, or town based  
14 upon the failure of that city, village, or town to satisfy all eligibility requirements  
15 under s. 101.575 (1) and (3) to (5) or to demonstrate to the department that the city,  
16 village, or town is eligible under s. 101.575 (1) and (3) to (5) to receive fire department  
17 dues.

18 (2) DISTRIBUTION OF DUES. Notwithstanding s. 101.573 (3) (a) and except as  
19 provided in sub. (3), on or before May 1 in each year, the department shall compile  
20 the fire department dues paid by all insurers under s. 601.93 and the dues paid by  
21 the state fire fund under s. 101.573 (1) and funds remaining under s. 101.573 (3) (b),  
22 withhold 0.5% and certify to the state treasurer the proper amount to be paid from  
23 the appropriation under s. 20.143 (3) (L) to each city, village, and town entitled to fire  
24 department dues as provided under sub. (1) and s. 101.575. Annually, on or before  
25 August 1, the state treasurer shall pay the amounts certified by the department to

1 each city, village, and town that is entitled to fire department dues as provided under  
2 sub. (1) and s. 101.575.

3 (3) SUNSET PROVISION. (a) This section does not apply on or after the date on  
4 which changes to the rules of the department of commerce relating to eligibility to  
5 receive payments of fire department dues first take effect, if all of the following are  
6 satisfied:

7 1. The changes are promulgated in consultation with the representatives of the  
8 Wisconsin fire service and volunteer fire departments in this state.

9 2. The changes are based on recommendations of the joint legislative audit  
10 committee that are derived from a legislative audit bureau performance evaluation  
11 audit of the department that relates to the payment of fire department dues and that  
12 is conducted at the direction of the joint legislative audit committee.

13 3. The changes are approved by the joint legislative audit committee before the  
14 date on which the changes take effect.

15 (b) When filing rules that are promulgated and approved in satisfaction of par.  
16 (a) 1. to 3. with the revisor of statutes under s. 227.20, the department shall include  
17 a separate statement indicating that the rules were promulgated and approved in  
18 satisfaction of par. (a) 1. to 3.

19 \*b0631/1.2\* SECTION 2495m. 101.573 (4) of the statutes is amended to read:

20 101.573 (4) The department shall transmit to the treasurer of each city, village,  
21 and town entitled to fire department dues, a statement of the amount of dues payable  
22 to it ~~under this section~~, and the commissioner of insurance shall furnish to the state  
23 treasurer, upon request, a list of the insurers paying dues under s. 601.93 and the  
24 amount paid by each.



1           **\*-2007/2.5\* SECTION 2533.** 101.91 (2b) of the statutes is renumbered 101.91  
2 (3).

3           **\*-2007/2.6\* SECTION 2534.** 101.91 (2d) of the statutes is renumbered 101.91  
4 (4).

5           **\*-2007/2.7\* SECTION 2535.** 101.91 (2f) of the statutes is renumbered 101.91  
6 (5m).

7           **\*-2007/2.8\* SECTION 2536.** 101.91 (2h) of the statutes is renumbered 101.91  
8 (9).

9           **\*-2007/2.9\* SECTION 2537.** 101.91 (2k) of the statutes is renumbered 101.91  
10 (10).

11           **\*-2007/2.10\* SECTION 2538.** 101.91 (5) of the statutes is renumbered 101.91  
12 (11).

13           **\*-2007/2.11\* SECTION 2539.** 101.91 (6) of the statutes is renumbered 101.91  
14 (12).

15           **\*b0396/1.1\* SECTION 2539k.** 101.9208 (1) (b) of the statutes is amended to  
16 read:

17           101.9208 (1) (b) ~~Upon filing an application under par. (a) or (d) before the first~~  
18 ~~day of the 2nd month beginning after September 1, 2000, an environmental impact~~  
19 ~~fee of \$5, by the person filing the application. Upon filing an application under par.~~  
20 ~~(a) or (d) on or after September 1, 2000, an environmental impact fee of \$6 \$9, by the~~  
21 ~~person filing the application. All moneys collected under this subsection shall be~~  
22 ~~credited to the environmental fund for environmental management. This paragraph~~  
23 ~~does not apply after December 31, 2003.~~

24           **\*-2007/2.12\* SECTION 2540.** 101.93 (title) of the statutes is repealed and  
25 recreated to read:

1           **101.93 (title) Plumbing in manufactured homes.**

2           **\*b0269/2.4\* SECTION 2540m.** 101.935 (2) (c) 2. of the statutes is amended to  
3 read:

4           101.935 (2) (c) 2. The department shall establish by rule the permit fee and  
5 renewal fee for a permit issued under this subsection. Beginning in fiscal year  
6 2002-03, the department may increase the fees to recover the cost of administering  
7 s. 101.937. An additional penalty fee, as established by the department by rule, is  
8 required for each permit if the biennial renewal fee is not paid before the permit  
9 expires.

10           **\*-2007/2.13\* SECTION 2541.** 101.937 (title) of the statutes is created to read:

11           **101.937 (title) Water and sewer service to manufactured home parks.**

12           **\*-2411/3.31\* SECTION 2544.** 102.07 (9) of the statutes is amended to read:

13           102.07 (9) Members of the national guard, the naval militia, and state defense  
14 force, when on state active duty under direction of appropriate authority, but only in  
15 case federal laws, rules or regulations provide no benefits substantially equivalent  
16 to those provided in this chapter.

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

18           102.29 (8r) No participant in a food stamp employment and training program  
19 under s. ~~49.124 (1m)~~ 49.13 who, under s. ~~49.124 (1m)~~ 49.13 (2) (d), is provided  
20 worker's compensation coverage by the department or by a Wisconsin works agency,  
21 as defined in s. 49.001 (9), and who makes a claim for compensation under this  
22 chapter may make a claim or maintain an action in tort against the employer who  
23 provided the employment and training from which the claim arose.

24           **\*-2411/3.32\* SECTION 2545.** 102.475 (1) of the statutes is amended to read:

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

14           \*–1335/7.57\* SECTION 2557. 103.49 (1) (f) of the statutes is amended to read:

15           103.49 (1) (f) “State agency” means any office, department, independent  
16 agency, institution of higher education, association, society or other body in state  
17 government created or authorized to be created by the constitution or any law,  
18 including the legislature and the courts. “State agency” also includes the University  
19 of Wisconsin Hospitals and Clinics Authority and the Fox River Navigational System  
20 Authority.

21           \*–1335/7.58\* SECTION 2558. 103.49 (2) of the statutes is amended to read:

22           103.49 (2) PREVAILING WAGE RATES AND HOURS OF LABOR. Any contract hereafter  
23 made for the erection, construction, remodeling, repairing, or demolition of any  
24 project of public works, except contracts for the construction or maintenance of public  
25 highways, streets, and bridges, to which the state, or any state agency ~~or the~~



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

21 **\*b0462/1.2\* SECTION 2558j.** 103.49 (3) (ar) of the statutes is amended to read:  
22 103.49 (3) (ar) In determining prevailing wage rates under par. (a) or (am), the  
23 department may not use data from projects that are subject to this section, s. 66.0903,  
24 103.50, or 229.8275, or 40 USC 276a unless the department determines that there  
25 is insufficient wage data in the area to determine those prevailing wage rates, in

1 which case the department may use data from projects that are subject to this  
2 section, s. 66.0903, 103.50, or 229.8275, or 40 USC 276a. The department may also  
3 use data from a project that is subject to this section, s. 66.0903, 103.50, or 229.8275,  
4 or 40 USC 276a in determining prevailing wage rates under par. (a) or (am) if the  
5 department determines that the wage rate paid on that project is higher than the  
6 prevailing wage rate determined for that project.

7 **\*b0461/1.2\* SECTION 2558m.** 103.49 (5) (a) of the statutes is amended to read:

8 103.49 (5) (a) Each contractor, subcontractor, or contractor's or subcontractor's  
9 agent performing work on a project that is subject to this section shall keep full and  
10 accurate records clearly indicating the name and trade or occupation of every person  
11 performing the work described in sub. (2m) and an accurate record of the number of  
12 hours worked by each of those persons and the actual wages paid for the hours  
13 worked. If requested by any person, a contractor, subcontractor, or contractor's or  
14 subcontractor's agent performing work on a project that is subject to this section  
15 shall permit that person to inspect and copy any of those records to the same extent  
16 as if the record were maintained by the department, except that s. 19.36 (3) does not  
17 limit the duty of a subcontractor or a contractor's or subcontractor's agent to permit  
18 inspection and copying of a record under this paragraph. Before permitting the  
19 inspection and copying of a record under this paragraph, a contractor, subcontractor,  
20 or contractor's or subcontractor's agent shall delete from the record any personally  
21 identifiable information, as defined in s. 19.62 (5), contained in the record about any  
22 person performing the work described in sub. (2m).

23 **\*-1335/7.59\* SECTION 2559.** 103.49 (7) (a) of the statutes is amended to read:

24 103.49 (7) (a) Except as provided under pars. (b) and (c), the department shall  
25 distribute to all state agencies ~~and to the University of Wisconsin Hospitals and~~

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

13 <sup>d</sup>  
\*b0461/1.3\* SECTION 2559g. 103.50 (6m) of the statutes is created to read:  
14 103.50 (6m) RECORDS; INSPECTION. Each contractor, subcontractor, or  
15 contractor's or subcontractor's agent performing work on a project that is subject to  
16 this section shall keep full and accurate records clearly indicating the name and  
17 trade or occupation of every person performing the work described in sub. (2m) and  
18 an accurate record of the number of hours worked by each of those persons and the  
19 actual wages paid for the hours worked. If requested by any person, a contractor,  
20 subcontractor, or contractor's or subcontractor's agent performing work on a project  
21 that is subject to this section shall permit that person to inspect and copy any of those  
22 records to the same extent as if the record were maintained by the department,  
23 except that s. 19.36 (3) does not limit the duty of a subcontractor or a contractor's or  
24 subcontractor's agent to permit inspection and copying of a record under this  
25 subsection. Before permitting the inspection and copying of a record under this

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

5 \*b0353/1.1\* SECTION 2559g. 103.64 (1m) of the statutes is created to read:

6 103.64 (1m) "Farming" has the meaning given in s. 102.04 (3).

7 \*b0353/1.1\* SECTION 2559j. 103.67 (2) (e) of the statutes is amended to read:

8 103.67 (2) (e) Minors 12 years of age or older may be employed in agricultural  
9 pursuits farming.

10 \*b0353/1.1\* SECTION 2559m. 103.70 (1) of the statutes is amended to read:

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

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

22 103.805 (1) The department or a permit officer shall fix and collect a reasonable  
23 fee based on the cost of issuance of collect a fee in the amount of \$7 for issuing permits  
24 under ss. 103.25 and 103.71 and certificates of age under s. 103.75. ~~The department~~  
25 ~~may authorize the retention of the fees by the~~ A person designated to issue permits

1 and certificates of age ~~as compensation for the person's services if the person who is~~  
2 not on the payroll of the division administering this chapter may retain \$2.50 of that  
3 fee as compensation for the person's services and shall forward \$4.50 of that fee to  
4 the department, which shall deposit that amount forwarded into the general fund  
5 and credit \$2 of that amount forwarded to the appropriation account under s. 20.445  
6 (1) (j). A person designated to issue permits and certificates of age who is on the  
7 payroll of the division administering this chapter shall forward that fee to the  
8 department, which shall deposit that fee into the general fund and credit \$2 of that  
9 fee to the appropriation account under s. 20.445 (1) (j). The permit officer shall  
10 account for all fees collected as the department prescribes.

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

12 106.01 (11) From the appropriation under s. 20.445 (1) (kt), the department  
13 shall provide a trade masters pilot program to recognize advanced training and  
14 postapprenticeship achievements in 3 trades, crafts, or businesses, one of which  
15 shall be in the industrial sector, one in the construction sector, and one in the service  
16 sector of the economy. By July 1, 2010, the department shall submit to the legislature  
17 under s. 13.171 (2) an evaluation of the effectiveness of the program.

18 **\*-1836/1.3\* SECTION 2562.** 106.12 (4) of the statutes is created to read:

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

1           **\*b0470/1.1\* SECTION 2562m.** 106.13 (1) (a) of the statutes is amended to read:  
2           106.13 (1) (a) A youth apprenticeship program that includes the grant  
3 programs under subs. ~~(3)~~ (3m) and (4).

4           **\*-2009/1.3\* SECTION 2564.** 106.13 (3m) (a) of the statutes is amended to read:  
5           106.13 (3m) (a) In this subsection, “local partnership” means one or more  
6 school districts, or any combination of one or more school districts, other public  
7 agencies, as defined in sub. (4) (a) 2., nonprofit organizations, as defined in sub. (4)  
8 (a) ~~1.~~ 1r., individuals or other persons, who have agreed to be responsible for  
9 implementing and coordinating a local youth apprenticeship program.

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

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

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

1           106.13 (3m) (c) A local partnership that is awarded a grant under par. (b) may  
2 not use any of the grant moneys awarded to provide funding to a business that is  
3 operated for profit or to a nonprofit organization that represents business interests.

4           \***-2009/1.4\* SECTION 2565.** 106.13 (4) (a) 1. of the statutes is renumbered  
5 106.13 (4) (a) 1r.

6           \***-2009/1.5\* SECTION 2566.** 106.13 (4) (a) 1d. of the statutes is created to read:  
7 106.13 (4) (a) 1d. “Eligible employer” means an employer that is eligible to  
8 receive a grant under this subsection according to the criteria established by the  
9 board under par. (d).

10           \***-2009/1.6\* SECTION 2567.** 106.13 (4) (b) of the statutes is amended to read:  
11 106.13 (4) (b) From the appropriation under s. 20.445 (7) (em), the board may  
12 award a grant to a public agency or a nonprofit organization, or to an eligible  
13 employer that is responsible for the on-the-job training and supervision of a youth  
14 apprentice. A public agency or ~~non-profit~~ nonprofit organization that receives a  
15 grant under this subsection shall use the funds awarded under the grant to award  
16 training grants to eligible employers that provide on-the-job training and  
17 supervision for youth apprentices. Subject to par. (c), a training grant provided  
18 under this subsection may be awarded to an eligible employer for each youth  
19 apprentice who receives at least 180 hours of paid on-the-job training from the  
20 eligible employer during a school year, as defined in s. 115.001 (13). The amount of  
21 a training grant may not exceed \$500 per youth apprentice per school year. A  
22 training grant may not be awarded for any specific youth apprentice for more than  
23 2 school years.

24           \***-2009/1.7\* SECTION 2568.** 106.13 (4) (c) of the statutes is amended to read:

1           106.13 (4) (c) Notwithstanding par. (b), the board may award a training grant  
2 under this subsection to an eligible employer that provides less than 180 hours of  
3 paid on-the-job training for a youth apprentice during a school year, as defined in  
4 s. 115.001 (13), if the board determines that it would be beneficial for the youth  
5 apprentice to receive on-the-job training from more than one eligible employer.

6           \*~~2009/1.8~~\* SECTION 2569. 106.13 (4) (d) of the statutes is created to read:

7           106.13 (4) (d) The board shall establish eligibility criteria for a grant under this  
8 subsection. That criteria shall specify that eligibility for a grant shall be limited to  
9 small employers, as determined by the board, and to employers providing on-the-job  
10 training in employment areas determined by the board. Notwithstanding sub. (5),  
11 those criteria need not be promulgated as rules.

12           \*~~2009/1.9~~\* SECTION 2570. 106.14 (1) of the statutes is renumbered 106.14 and  
13 amended to read:

14           **106.14 Job centers and career counseling centers.** The department shall  
15 provide a job center network throughout the state through which job seekers may  
16 receive comprehensive career planning, job placement, and job training information.  
17 ~~As part of the job center network, the department shall provide career counseling~~  
18 ~~centers at which youths may receive the services specified in sub. (2).~~

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

20           \*~~1335/7.60~~\* SECTION 2575. 106.215 (1) (e) of the statutes is amended to read:

21           106.215 (1) (e) “Local unit of government” means the governing body of any city,  
22 town, village, county, county utility district, town sanitary district, public inland lake  
23 protection and rehabilitation district, metropolitan sewerage district or school  
24 district, ~~the Fox-Winnebago regional management commission~~ or the elected tribal  
25 governing body of a federally recognized American Indian tribe or band.



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

3           106.215 (10) (fm) 1. Corps enrollees who have been crew leaders, regional crew  
4 leaders or a combination thereof for at least ~~2 years~~ 6 months.

5           \*~~0671/4.2~~\* SECTION 2599. 106.215 (10) (g) 3. of the statutes is amended to  
6 read:

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

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.

21           \*~~2338/1.1~~\* SECTION 2610. 111.70 (4) (jm) 4. k. of the statutes is created to read:

22           111.70 (4) (jm) 4. k. Establish a system for conducting interrogations of  
23 members of the police department that is limited to the hours between 7 a.m. and 5  
24 p.m. on working days, as defined in s. 227.01 (14), if the interrogations could lead to

1 disciplinary action, demotion, or dismissal, but one that does not apply if the  
2 interrogation is part of a criminal investigation.

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

4 114.31 (3) (b) From the appropriation under s. 20.395 (2) (ds), the department  
5 shall administer an aviation career education program to provide training and  
6 apprenticeship opportunities associated with aviation careers for socially and  
7 economically disadvantaged youth. If there are interested and eligible participants  
8 for the program in the city of Green Bay, the department shall offer the program in  
9 the city of Green Bay.

10 **\*-1694/11.12\* SECTION 2622.** 115.28 (27) of the statutes is repealed.

11 **\*-1694/11.13\* SECTION 2625.** 115.28 (42) of the statutes is created to read:

12 115.28 (42) WISCONSIN GEOGRAPHIC EDUCATION PROGRAM. Enter into an  
13 agreement with the National Geographic Society Education Foundation to establish  
14 a geographical education program in this state. The agreement shall require each  
15 of the following:

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

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

24 (c) That the National Geographic Society Education Foundation annually  
25 submit to the department an audited financial statement of the trust fund

1 established under par. (a) that is prepared by an independent auditor and a report  
2 listing the names of grant recipients and the amounts and purposes of awards and  
3 other expenditures made from the trust fund.

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

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

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

14 115.28 (45) SPECIAL COUNSELOR GRANTS. From the appropriation under s. 20.255  
15 (2) (kL), award grants to school districts, cooperative educational service agencies,  
16 consortia consisting of 2 or more school districts or cooperative educational service  
17 agencies, or an educational organization that serves pupils in any grade from  
18 kindergarten to 12, if the school district, cooperative educational service agency, or  
19 educational organization serves American Indian pupils or borders on an American  
20 Indian reservation, for the purpose of employing counselors to help American Indian  
21 pupils adjust to the school districts in which they are enrolled.

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

24 115.38 (2) Upon request, each school board shall produce a copy of the most  
25 recent school and school district performance report to each parent or guardian of a

1 pupil enrolled in the school district or enrolled in a charter school located in the  
2 school district, and, if the school district maintains an Internet site, shall make the  
3 report available to the public at that site.

4 **\*-1151/4.5\* SECTION 2649.** 115.42 (1) (a) 3. of the statutes is repealed.

5 **\*-1151/4.6\* SECTION 2650.** 115.42 (1) (b) of the statutes is amended to read:

6 115.42 (1) (b) The grant under this subsection shall be an amount equal to the  
7 costs of obtaining certification under par. (a) 1. that are borne by the person, not to  
8 exceed \$2,000. The department shall award the grant under this subsection ~~in the~~  
9 ~~school year in which the person is certified under par. (a) 1., except that if the person~~  
10 ~~becomes certified under par. (a) 1. while he or she is not a resident of this state, the~~  
11 ~~department shall award the grant under this subsection in the first school year in~~  
12 which the person meets the requirements under par. (a).

13 **\*-1151/4.7\* SECTION 2651.** 115.42 (2) (intro.) of the statutes is renumbered  
14 115.42 (2) (a) (intro.) and amended to read:

15 115.42 (2) (a) (intro.) The department shall award ~~a~~ 9 grants of \$2,500 grant  
16 each to each person who received a grant under sub. (1) ~~in each of the 9 school years~~  
17 ~~following the school year in which he or she received the grant~~ if the person satisfies  
18 all of the following requirements:

19 **\*-1151/4.8\* SECTION 2652.** 115.42 (2) (a) and (b) of the statutes are renumbered  
20 115.42 (2) (a) 1. and 2.

21 **\*-1151/4.9\* SECTION 2653.** 115.42 (2) (bL) of the statutes is created to read:

22 115.42 (2) (bL) The department shall award the grants under this subsection  
23 annually, one grant in each of the school years following the school year in which the  
24 grant under sub. (1) was awarded and in which the person satisfies the requirements  
25 under par. (a).

1           \***-1151/4.10**\* SECTION 2654. 115.42 (2) (c) of the statutes is repealed.

2           \***-1151/4.11**\* SECTION 2655. 115.42 (2) (d) of the statutes is renumbered 115.42  
3 (2) (a) 4.

4           \***-0886/3.8**\* SECTION 2667. 115.88 (2) of the statutes is amended to read:

5           115.88 (2) TRANSPORTATION AID. If upon receipt of the plan under s. 115.77 (4)  
6 the state superintendent is satisfied that the transportation of children with  
7 disabilities has been maintained during the preceding year in accordance with the  
8 law, the state superintendent shall certify to the department of administration in  
9 favor of each county, cooperative educational service agency, or school district  
10 transporting such pupils an amount equal to the amount expended for such  
11 transportation as costs eligible for reimbursement from the appropriations  
12 appropriation under s. 20.255 (2) (b) and ~~(b)~~. Pupils for whom aid is paid under this  
13 subsection shall not be eligible for aid under s. 121.58 (2) or (4). This subsection  
14 applies to any child with a disability who requires special assistance in  
15 transportation, including any such child attending regular classes who requires  
16 special or additional transportation. This subsection does not apply to any child with  
17 a disability attending regular or special classes who does not require any special or  
18 additional transportation.

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

20           115.88 (8m) SUPPLEMENTAL AID. (a) In this subsection, “additional costs” means  
21 the costs of nursing services and assistive technology.

22           (b) If an operator of a charter school established under s. 118.40 (2r), a school  
23 district, a county, or a cooperative educational service agency incurs special  
24 education costs for a pupil that equal or exceed an amount equal to 3 times the cost  
25 of the state average cost per pupil in the previous school year, as determined by the

1 department by rule, the department shall, beginning in the 2002–03 school year,  
2 reimburse the operator, school district, county, or cooperative educational service  
3 agency from the appropriation under s. 20.255 (2) (b) an amount calculated as  
4 follows:

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

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

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

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

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

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

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

19 115.882 Payment of state aid. Funds appropriated under s. 20.255 (2) (b)  
20 shall be used first for the ~~purpose~~ purposes of s. 115.88 (4) and (8m). Costs eligible  
21 for reimbursement from the appropriations under s. 20.255 (2) (b) and (br) under ss.  
22 115.88 (1m) to (3), (6) and (8), 115.93 and 118.255 (4) shall be reimbursed at a rate  
23 set to distribute the full amount appropriated for reimbursement for such costs, not  
24 to exceed 100%.

25 \*b0619/2.1\* SECTION 2679m. 118.135 of the statutes is created to read:

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

6           (a) A brief history of general health and eye health of the child and of the child's  
7 family.

8           (b) General external observation of the child's eyes and surrounding structures.

9           (c) An examination of the inside of the child's eyes through undilated pupils.

10          (d) A gross measurement of the child's peripheral vision.

11          (e) An evaluation of the coordination and function of the child's eyes.

12          (f) An examination of the visual acuity of each of the child's eyes.

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

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

22           \*~~2358/4.21~~\* \*~~0888/1.1~~\* **SECTION 2700.** 118.30 (1m) (a) of the statutes is  
23 amended to read:

24           118.30 (1m) (a) 1. Except as provided in sub. (6), administer the 4th grade  
25 examination adopted or approved by the state superintendent under sub. (1) to all

1 pupils enrolled in the school district, including pupils enrolled in charter schools  
2 located in the school district, in the 4th grade. ~~Beginning on July 1, 2002, if the~~  
3 ~~school board has not developed and adopted its own 4th grade examination, the~~  
4 ~~school board shall provide a pupil with at least 2 opportunities to take the~~  
5 ~~examination administered under this subdivision.~~

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

11 \*~~-2358/4.23~~\* \*~~-0888/1.2~~\* SECTION 2702. 118.30 (1m) (am) of the statutes is  
12 amended to read:

13 118.30 (1m) (am) 1. Except as provided in sub. (6), administer the 8th grade  
14 examination adopted or approved by the state superintendent under sub. (1) to all  
15 pupils enrolled in the school district, including pupils enrolled in charter schools  
16 located in the school district, in the 8th grade. ~~Beginning on July 1, 2002, if the~~  
17 ~~school board has not developed and adopted its own 8th grade examination, the~~  
18 ~~school board shall provide a pupil with at least 2 opportunities to take the~~  
19 ~~examination administered under this subdivision.~~

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



1           \*~~-2358/4.25~~\* \*~~-0888/1.3~~\* SECTION 2704. 118.30 (1r) (a) of the statutes is  
2 amended to read:

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

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

14           \*~~-2358/4.27~~\* \*~~-0888/1.4~~\* SECTION 2706. 118.30 (1r) (am) of the statutes is  
15 amended to read:

16           118.30 (1r) (am) 1. Except as provided in sub. (6), administer the 8th grade  
17 examination adopted or approved by the state superintendent under sub. (1) (a) to  
18 all pupils enrolled in the charter school in the 8th grade. ~~Beginning on July 1, 2002,~~  
19 ~~if the operator of the charter school has not developed and adopted its own 8th grade~~  
20 ~~examination, the operator of the charter school shall provide a pupil with at least 2~~  
21 ~~opportunities to take the examination administered under this subdivision.~~

22           2. Beginning on July 1, 2002, if the operator of the charter school has developed  
23 or adopted its own 8th grade examination, administer that examination to all pupils  
24 enrolled in the charter school in the 8th grade. ~~The operator of the charter school~~

1 ~~shall provide a pupil with at least 2 opportunities to take the examination~~  
2 ~~administered under this subdivision.~~

3 ~~\*-0956/6.3\*~~ SECTION 2729. 118.43 (2) (f) of the statutes is repealed.

4 ~~\*-0956/6.4\*~~ SECTION 2730. 118.43 (2) (g) of the statutes is created to read:

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

11 ~~\*-0956/6.8\*~~ SECTION 2734. 118.43 (6) (b) 7. of the statutes is amended to read:

12 118.43 (6) (b) 7. In the 2001–02 and 2002–03 school years, \$2,000 multiplied  
13 by the number of low-income pupils enrolled in grades eligible for funding in each  
14 school in the school district covered by contracts under sub. (3) (am) and by renewals  
15 of contracts under sub. (2) (g). After making these payments, the department shall  
16 pay school districts on behalf of schools that are covered by contracts under sub. (3)  
17 (ar), an amount equal to \$2,000 multiplied by the number of low-income pupils  
18 enrolled in grades eligible for funding in each school in the school district covered by  
19 contracts under sub. (3) (ar).

20 ~~\*-0956/6.9\*~~ SECTION 2735. 118.43 (6) (b) 8. of the statutes is amended to read:

21 118.43 (6) (b) 8. In the 2003–04 and 2004–05 school years, \$2,000 multiplied  
22 by the number of low-income pupils enrolled in grades eligible for funding in each  
23 school in the school district covered by contracts under sub. (3) (ar) and by renewals  
24 of contracts under sub. (2) (g).

25 ~~\*-0947/1.1\*~~ SECTION 2738. 118.51 (3) (a) 2. of the statutes is amended to read:

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

12           \*~~0947/1.2~~\* SECTION 2739. 118.51 (4) (a) 3. of the statutes is amended to read:

13           118.51 (4) (a) 3. A statement of the preference required under sub. ~~(5) (c)~~ (3) (a)

14           2.

15           \*~~0947/1.3~~\* SECTION 2740. 118.51 (5) (a) (intro.) of the statutes is amended to  
16 read:

17           118.51 (5) (a) *Permissible criteria.* (intro.) Except as provided in ~~par. (c)~~ sub.  
18 (3) (a) 2., the criteria for accepting and rejecting applications from nonresident pupils  
19 under sub. (3) (a) may include only the following:

20           \*~~0947/1.4~~\* SECTION 2741. 118.51 (5) (a) 1. of the statutes is amended to read:

21           118.51 (5) (a) 1. The availability of space in the schools, programs, classes, or  
22 grades within the nonresident school district, ~~including any.~~ In determining the  
23 availability of space, the nonresident school board may consider criteria such as class  
24 size limits, pupil-teacher ratios, ~~pupils attending the school district for whom tuition~~  
25 ~~is paid under s. 121.78 (1) (a)~~ or enrollment projections established by the

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

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

6 \***-0892/1.3\*** SECTION 2744. 118.52 (11) (b) of the statutes is amended to read:  
7 118.52 (11) (b) *Low-income assistance*. The parent of a pupil who is attending  
8 a course in a public school in a nonresident school district under this section may  
9 apply to the department for reimbursement of the costs incurred by the parent for  
10 the transportation of the pupil to and from the pupil's residence or school in which  
11 the pupil is enrolled and the school at which the pupil is attending the course if the  
12 pupil and parent are unable to pay the cost of such transportation. The department  
13 shall determine the reimbursement amount and shall pay the amount from the  
14 appropriation under s. 20.255 (2) (~~ew~~) (cy). The department shall give preference  
15 under this paragraph to those pupils who are eligible for a free or reduced-price  
16 lunch under 42 USC 1758 (b).

17 \***-1598/1.6\*** SECTION 2755. 119.48 (4) (b) of the statutes is amended to read:  
18 119.48 (4) (b) The communication shall state the purposes for which the funds  
19 from the increase in the levy rate will be used and shall request the common council  
20 to submit to the voters of the city the question of exceeding the levy rate specified in  
21 s. 65.07 (1) (f) ~~at the September election or a special election.~~

22 \***-1598/1.7\*** SECTION 2756. 119.48 (4) (c) of the statutes is amended to read:  
23 119.48 (4) (c) 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 exceeding  
25 the levy rate specified under s. 65.07 (1) (f) to be submitted to the voters of the city

1 at the ~~September election or at a special election~~ next 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 exceeding the levy rate specified under  
6 s. 65.07 (1) (f) shall be submitted so that the vote upon exceeding the levy rate  
7 specified in s. 65.07 (1) (f) is taken separately from any other question submitted to  
8 the voters. If a majority of the electors voting on the question favors exceeding the  
9 levy rate specified under s. 65.07 (1) (f), the common council shall approve the  
10 increase in the levy rate and shall levy and collect a tax equal to the amount of money  
11 approved by the electors.

12 **\*-1598/1.8\* SECTION 2757.** 119.49 (1) (b) of the statutes is amended to read:

13 119.49 (1) (b) The communication shall state the amount of funds needed under  
14 par. (a) and the purposes for which the funds will be used and shall request the  
15 common council to submit to the voters of the city ~~at the next election held in the city~~  
16 the question of issuing school bonds in the amount and for the purposes stated in the  
17 communication.

18 **\*-1598/1.9\* SECTION 2758.** 119.49 (2) of the statutes is amended to read:

19 119.49 (2) Upon receipt of the communication, the common council shall file  
20 the communication as provided in s. 8.37 and shall cause the question of issuing such  
21 school bonds in the stated amount and for the stated school purposes to be submitted  
22 to the voters of the city ~~at the next election held in the city~~ regularly scheduled spring  
23 election or general election that occurs not sooner than 42 days after receipt of the  
24 communication or at a special election held on the Tuesday after the first Monday in  
25 November in an odd-numbered year if that date occurs not sooner than 42 days after

1 receipt of the communication. The question of issuing such school bonds shall be  
2 submitted so that the vote upon issuing such school bonds is taken separately from  
3 any other question submitted to the voters. If a majority of the electors voting on the  
4 school bond question favors issuing such school bonds, the common council shall  
5 cause the school bonds to be issued immediately or within the period permitted by  
6 law, in the amount requested by the board and in the manner other bonds are issued.

7 **\*-1396/1.1\* SECTION 2761.** 121.004 (6) of the statutes is amended to read:

8 121.004 (6) NET COST. The “net cost” of a fund means the gross cost of that fund  
9 minus all nonduplicative revenues and other financing sources of that fund except  
10 property taxes and, general aid, and aid received under s. 79.095 (4). In this  
11 subsection, “nonduplicative revenues” includes federal financial assistance under 20  
12 USC 236 to 245, to the extent permitted under federal law and regulations.

13 **\*-0886/3.9\* SECTION 2762.** 121.007 of the statutes is amended to read:

14 **121.007 Use of state aid; exemption from execution.** All moneys paid to  
15 a school district under s. 20.255 (2) (ac), (bc), (cg), and (cr) ~~and~~ (q) shall be used by  
16 the school district solely for the purposes for which paid. Such moneys are exempt  
17 from execution, attachment, garnishment, or other process in favor of creditors,  
18 except as to claims for salaries or wages of teachers and other school employees and  
19 as to claims for school materials, supplies, fuel, and current repairs.

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

21 121.02 (1) (o) Annually ~~distribute the performance disclosure report under~~  
22 comply with the requirements of s. 115.38 (2). The school board may include  
23 additional information in the report under s. 115.38 (2).

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

1           221.07 (6) (d) The “secondary ceiling cost per member” in the 2001–02 school  
2 year and in each school year thereafter is an amount determined by dividing the state  
3 total shared cost in the previous school year by the state total membership in the  
4 previous school year and multiplying the result by 0.90.

5           **\*b0682/2.3\* SECTION 2767f.** 221.07 (7) (b) of the statutes is amended to read:

6           221.07 (7) (b) The “secondary guaranteed valuation per member” is an amount,  
7 rounded to the next lower dollar, that, after subtraction of payments under ss. 221.09  
8 and 221.85 (6) (b) 2. and 3. and (c), fully distributes an amount equal to the amount  
9 remaining in the appropriation under s. 20.255 (2) (ac) plus \$75,000,000 in the  
10 ~~1997–98 school year and \$100,000,000 in the 1998–99~~ \$115,000,000 in the 2002–03  
11 school year for payments under ss. 221.08, 221.105, 221.85 (6) (a) and (g) and 221.86.

12           **\*b0682/2.3\* SECTION 2767m.** 221.085 of the statutes is created to read:

13           **221.085 Interest on delayed payment.** Beginning in 2003, annually on the  
14 3rd Monday in June, from the appropriation under s. 20.255 (2) (am), the department  
15 shall pay to each school district an amount equal to the interest that the school  
16 district would have earned on its portion of the delayed school aid payment under s.  
17 221.15 (1m) (a) 4. if the school aid payment had been made on the 3rd Monday in June  
18 instead of on the 4th Monday in July. Interest shall be calculated using the  
19 annualized rate of return on investments in the state investment fund for April.

20           **\*-0886/3.10\* SECTION 2768.** 221.09 (1) of the statutes is amended to read:

21           221.09 (1) If, on or after July 1, 1980, the tax appeals commission or a court  
22 makes a final redetermination on the assessment of property subject to taxation  
23 under s. 70.995 that is lower than the previous assessment, or if, on or after January  
24 1, 1982, the state board of assessors makes a final redetermination on the  
25 assessment of property subject to taxation under s. 70.995 that is lower than the

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

14 **\*-1395/3.1\* SECTION 2769.** 121.105 (2) (a) 1. of the statutes is renumbered  
15 121.105 (2) (am) and amended to read:

16 121.105 (2) (am) If a school district would receive less in state aid in the current  
17 year before any adjustment is made under s. 121.15 (4) (b) than an amount equal to  
18 85% of the sum of the state aid that it received in the previous school year and the  
19 adjustment, if any, made under s. 121.15 (4) (b) in the current school year, its state  
20 aid for the current school year shall be increased to an amount equal to 85% of the  
21 state aid received in the previous school year.

22 **\*-1395/3.2\* SECTION 2770.** 121.105 (2) (a) 2. of the statutes is repealed.

23 **\*-1395/3.3\* SECTION 2771.** 121.105 (2) (a) 3. of the statutes is repealed.

24 **\*-0886/3.11\* SECTION 2772.** 121.105 (3) of the statutes is amended to read:



1            121.105 (3) In the school year in which a school district consolidation takes  
2 effect under s. 117.08 or 117.09 and in each of the subsequent 4 school years, the  
3 consolidated school district's state aid shall be an amount that is not less than the  
4 aggregate state aid received by the consolidating school districts in the school year  
5 prior to the school year in which the consolidation takes effect. The additional state  
6 aid shall be paid from the ~~appropriations~~ appropriation under s. 20.255 (2) (ac) and  
7 (q).

8            ~~\*-0886/3.13\*~~ SECTION 2776. 121.15 (1m) (a) 1. of the statutes is repealed.

9            ~~\*-0886/3.14\*~~ SECTION 2777. 121.15 (1m) (a) 2. of the statutes is repealed.

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

12           121.15 (1m) (a) 4. Beginning in the 2002–03 school year, from the  
13 appropriation under s. 20.255 (2) (ac), annually the state shall pay to school districts  
14 an amount determined as follows on the 4th Monday in July of the following school  
15 year:

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

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

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

20           121.15 (1m) (b) The percentages under subs. (1) (a) and (1g) (a) shall be reduced  
21 proportionally to reflect the payments made under par. (a) 3. The percentage for  
22 June under subs. (1) (a) and (1g) (a) shall also be reduced to reflect the payment made  
23 under par. (a) 4. School districts shall treat the payments made in July under par.  
24 (a) as if they had been received in the previous school year.

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

3           121.15 (3m) (a) 1. “Partial school revenues” means the sum of state school aids,  
4 other than the amounts appropriated under s. 20.255 (2) ~~(bi)~~ (am) and (cv);<sub>;</sub> property  
5 taxes levied for school districts; and aid paid to school districts under s. 79.095 (4),  
6 less the amount of any revenue limit increase under s. 121.91 (4) (a) 2. due to a school  
7 board’s increasing the services that it provides by adding responsibility for providing  
8 a service transferred to it from another school board, less the amount of any revenue  
9 limit increase under s. 121.91 (4) (a) 3. ~~and~~, less the amount of any revenue limit  
10 increase under s. 121.91 (4) (h), and less the amount of any property taxes levied for  
11 the purpose of s. 120.13 (19).

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

14           121.15 (3m) (a) 2. “State school aids” means those aids appropriated under s.  
15 20.255 (2), other than s. 20.255 (2) (am), (fm), (fu), (k) and (m), and under ss. 20.275  
16 (1) (d), (es), (et) and (f) and 20.285 (1) (ee), (r) and (rc) and those aids appropriated  
17 under s. 20.275 (1) (s) that are used to provide grants or educational  
18 telecommunications access to school districts under s. 44.73.

19           \***-0940/4.1\*** SECTION 2780. 121.79 (1) (d) (intro.) of the statutes is amended to  
20 read:

21           121.79 (1) (d) (intro.) For pupils in foster homes, treatment foster homes, or  
22 group homes, if the foster home, treatment foster home, or group home is located  
23 outside the school district in which the pupil’s parent or guardian resides and either  
24 of the following applies:

25           \***-0940/4.2\*** SECTION 2781. 121.79 (1) (d) 1. of the statutes is repealed.

1           \***-0940/4.3\*** SECTION 2782. 121.79 (1) (d) 3. of the statutes is created to read:

2           121.79 (1) (d) 3. The pupil is a child with a disability, as defined in s. 115.76 (5),  
3           and at least 4% of the pupils enrolled in the school district reside in foster homes,  
4           treatment foster homes, or group homes that are not exempt under s. 70.11.  
5           Notwithstanding s. 121.83 (1) (d), the annual tuition rate for pupils under this  
6           subdivision is the special annual tuition rate only, as described in s. 121.83 (1) (c).

7           \***-0886/3.17\*** SECTION 2783. 121.85 (6) (e) of the statutes is amended to read:

8           121.85 (6) (e) *Sources of aid payments.* State aid under this section shall be  
9           paid from the ~~appropriations~~ appropriation under s. 20.255 (2) (ac) ~~and (e)~~.

10          \***-0886/3.18\*** SECTION 2784. 121.85 (8) of the statutes is amended to read:

11          121.85 (8) TRANSFERRED PUPILS. Pupils transferring schools under this section  
12          shall be subject to the same rules and regulations as resident pupils and shall have  
13          the responsibilities, privileges, and rights of resident pupils in the school district or  
14          attendance area. Subject to this subsection, a pupil transferring schools under either  
15          sub. (3) (a) or (b) has the right to complete his or her education at the elementary,  
16          middle, or high school to which he or she transfers so long as full funding therefor  
17          is available under s. 20.255 (2) (ac) ~~and (e)~~.

18          \***-0886/3.19\*** SECTION 2785. 121.85 (9) (c) of the statutes is amended to read:

19          121.85 (9) (c) The obligation under par. (a) to organize planning councils shall  
20          apply only with regard to school terms for which full pupil transfer aids are  
21          appropriated under s. 20.255 (2) (ac) ~~and (e)~~ and planning council assistance funds  
22          are appropriated under s. 20.255 (1) (a).

23          \***-0935/4.1\*** SECTION 2789. 121.905 (1) of the statutes is amended to read:

1           121.905 (1) In this section, “revenue ceiling” means ~~\$6,300~~ \$6,700 in the  
2           1999–2000 2001–02 school year and in any subsequent school year means ~~\$6,500~~  
3           \$6,900.

4           **\*b0688/3.3\* SECTION 2789m.** 121.905 (3) (a) 1. of the statutes is amended to  
5           read:

6           121.905 (3) (a) 1. Except as provided under subd. 2., calculate the sum of the  
7           amount of state aid received in the previous school year and property taxes levied for  
8           the previous school year, excluding property taxes levied for the purpose of s. 120.13  
9           (19) and excluding funds described under s. 121.91 (4) (c), and the costs of the county  
10          children with disabilities education board program, as defined in s. 121.135 (2) (a)  
11          2., for pupils who were school district residents and solely enrolled in a special  
12          education program provided by a county children with disabilities education board  
13          in the previous school year.

14          **\*b0688/3.4\* SECTION 2791m.** 121.91 (2m) (e) 1. of the statutes is amended to  
15          read:

16          121.91 (2m) (e) 1. Divide the sum of the amount of state aid received in the  
17          previous school year and property taxes levied for the previous school year, excluding  
18          property taxes levied for the purpose of s. 120.13 (19) and excluding funds described  
19          under sub. (4) (c), by the average of the number of pupils enrolled in the 3 previous  
20          school years.

21          **\*-1598/1.10\* SECTION 2796.** 121.91 (3) (a) of the statutes is amended to read:

22          121.91 (3) (a) If a school board wishes to exceed the limit under sub. (2m)  
23          otherwise applicable to the school district in any school year, it shall promptly adopt  
24          a resolution supporting inclusion in the final school district budget of an amount  
25          equal to the proposed excess revenue. The resolution shall specify whether the

1 proposed excess revenue is for a recurring or nonrecurring purpose, or, if the  
2 proposed excess revenue is for both recurring and nonrecurring purposes, the  
3 amount of the proposed excess revenue for each purpose. The resolution shall be filed  
4 as provided in s. 8.37. Within 10 days after adopting the resolution, the school board  
5 shall notify the department of the scheduled date of the referendum and submit a  
6 copy of the resolution to the department. The school board shall call a special  
7 referendum for the purpose of submitting the resolution to the electors of the school  
8 district for approval or rejection. ~~In lieu of a special referendum, the school board~~  
9 ~~may specify that the referendum be held at the next succeeding spring primary or~~  
10 ~~election or September primary or general election, if such election is to be held not~~  
11 ~~sooner than 42 days after the filing of the resolution of the school board, or at a special~~  
12 election held on the Tuesday after the first Monday in November in an  
13 odd-numbered year if that date occurs not earlier than 42 days after the filing of the  
14 resolution of the school board. The school district clerk shall certify the results of the  
15 referendum to the department within 10 days after the referendum is held.

16 \*~~1513/2.1~~\* SECTION 2797. 121.91 (4) (dg) of the statutes is created to read:

17 121.91 (4) (dg) Notwithstanding par. (d), if a school district's revenue in the  
18 preceding school year was less than the limit under sub. (2m) in the preceding school  
19 year, the school district received an increase in aid under s. 121.15 (4) (b) in the  
20 current school year, and the increase in aid was less than the amount determined  
21 under subd. 2., the limit otherwise applicable to the school district's revenue in the  
22 current school year under sub. (2m) is increased by an amount determined as follows:

- 23 1. Determine the increase in aid under s. 121.15 (4) (b).
- 24 2. Subtract the school district's revenue in the preceding school year from the  
25 school district's limit under sub. (2m) in the preceding school year.

1           3. Subtract from subd. 2. the amount determined under subd. 1. and multiply  
2 the remainder by 0.75.

3           4. Add the results under subds. 1. and 3.

4           **\*-1513/2.2\* SECTION 2798.** 121.91 (4) (dr) of the statutes is created to read:

5           121.91 (4) (dr) Notwithstanding par. (d), if a school district's revenue in the  
6 preceding school year was less than the limit under sub. (2m) in the preceding school  
7 year, the school district received an increase in aid under s. 121.15 (4) (b) in the  
8 current school year, and the increase in aid was equal to or greater than the amount  
9 determined under par. (dg) 2., the limit otherwise applicable to the school district's  
10 revenue in the current school year under sub. (2m) is increased by the difference  
11 between the amount of its revenue in the preceding school year and the amount of  
12 the limit in the preceding school year under sub. (2m).

13           **\*b0688/3.5\* SECTION 2798f.** 121.91 (4) (i) of the statutes is created to read:

14           121.91 (4) (i) The limit otherwise applicable to a school district under sub. (2m)  
15 in any school year is increased by an amount equal to the amount of property taxes  
16 levied for the purpose of s. 120.13 (19) for that school year.

17           **\*-0890/1.1\* SECTION 2799.** 121.92 (2) (c) of the statutes is amended to read:

18           121.92 (2) (c) If the amount of the deductions under pars. (a) and (b) is  
19 insufficient to cover the excess revenue, order the school board to reduce the property  
20 tax obligations of its taxpayers by an amount that represents the remainder of the  
21 excess revenue. The school district's refunds to taxpayers who have already paid  
22 their taxes shall be increased by interest at the rate of 0.5% per month. If the school  
23 board violates the order, any resident of the school district may seek injunctive relief.

24           This paragraph does not apply to property taxes levied for the purpose of paying the  
25           principal and interest on valid bonds or notes issued by the school board.

1           \***-2318/3.1\*** SECTION 2800. 125.04 (12) (c) of the statutes is created to read:

2           125.04 (12) (c) *Retail license or permit for the same premises.* No municipality  
3 may issue a Class “A,” “Class A,” Class “B,” “Class B,” or “Class C” license, and the  
4 department may not issue a Class “B” or “Class B” permit, to an applicant if the  
5 premises described in the application for a license or permit is already covered by a  
6 current license or permit of the same kind unless all of the following apply:

7           1. The applicant provides proof to the municipality or department that, not less  
8 than 15 days nor more than 30 days before submitting the application, the current  
9 licensee or permittee for the premises has provided to the applicant the name and  
10 address of each fermented malt beverages wholesaler to whom the current licensee  
11 or permittee is indebted.

12           2. The applicant provides proof to the municipality or department that, not less  
13 than 15 days nor more than 30 days before submitting the application, the applicant  
14 has notified each wholesaler identified under subd. 1. of the address and current  
15 name of the premises for which the license or permit application is made, of the name  
16 and address of the current licensee or permittee, and that the applicant is applying  
17 for a license or permit for the premises.

18           3. The current licensee or permittee is not in violation of s. 125.33 (7) or 125.69  
19 (4) unless the violation consists of an indebtedness discharged in bankruptcy.

20           4. The current licensee or permittee is not the subject of any proceeding under  
21 s. 125.12.

22           \***-2318/3.2\*** SECTION 2802. 125.06 (8) of the statutes is amended to read:

23           125.06 (8) SALE BY SECURED PARTY. The sale of alcohol beverages by a secured  
24 party in good faith under the terms of a security agreement, if the sale is not for the  
25 purpose of avoiding this chapter or ch. 139. The sale must be in the ordinary course

1 of the business of lending money secured by a security interest in alcohol beverages  
2 or warehouse receipts or other evidence of ownership. A sale of fermented malt  
3 beverages must be made within 15 days after the secured party takes possession of  
4 the fermented malt beverages unless the secured party demonstrates good cause  
5 why a sale in compliance with s. 409.504 or the security agreement cannot be made  
6 within this time period.

7 \*–2318/3.3\* SECTION 2803. 125.145 of the statutes is amended to read:

8 **125.145 Prosecutions by attorney general.** Upon request by the secretary  
9 of revenue, the attorney general may represent this state or assist a district attorney  
10 in prosecuting any case arising under this chapter. Notwithstanding s. 971.19 (6),  
11 upon request by the secretary of revenue, the attorney general may commence any  
12 action to enforce s. 125.30 (1) in the circuit court for Dane County.

13 \*–2318/3.4\* SECTION 2804. 125.17 (6) (a) (intro.) of the statutes is amended to  
14 read:

15 125.17 (6) (a) (intro.) Except as provided in par. (b), no municipal governing  
16 body may issue an operator's license unless the applicant has successfully completed  
17 a responsible beverage server training course at any location that is offered by a  
18 technical college district and that conforms to curriculum guidelines specified by the  
19 technical college system board or a comparable training course, which may include  
20 computer-based training and testing, that is approved by the department or the  
21 educational approval board, or unless the applicant fulfills one of the following  
22 requirements:

23 \*–2318/3.5\* SECTION 2805. 125.30 (6) of the statutes is created to read:

24 125.30 (6) Notwithstanding s. 125.11, the department shall issue a written  
25 warning to any person located outside this state who sells or ships fermented malt



1 beverages into this state in violation of sub. (1) if the person has not previously  
2 received a warning under this section. Any person located outside this state who  
3 sells or ships fermented malt beverages into this state in violation of sub. (1) and who  
4 has been previously issued a written warning under this subsection shall be fined not  
5 more than \$10,000 or imprisoned for not more than 2 years or both.

6 **\*-2318/3.6\* SECTION 2806.** 125.33 (2) (a) of the statutes is amended to read:

7 125.33 (2) (a) Give to any campus or Class “B” licensee or permittee, at any  
8 given time, for placement inside the premises, signs, clocks, or menu boards with an  
9 aggregate value of not more than ~~\$150~~ \$2,500. If a gift of any item would cause the  
10 ~~\$150~~ \$2,500 limit to be exceeded, the recipient shall pay the brewer or wholesaler the  
11 amount of the item’s value in excess of ~~\$150~~ \$2,500. Each recipient shall keep an  
12 invoice or credit memo containing the name of the donor and the number and value  
13 of items received under this paragraph. The value of an item is its cost to the donor.  
14 Each recipient shall make the records kept under this paragraph available to the  
15 department for inspection upon request.

16 **\*-2318/3.7\* SECTION 2807.** 125.33 (2) (b) 2. of the statutes is amended to read:

17 125.33 (2) (b) 2. Signs made from paper ~~or~~, cardboard, plastic, vinyl, or other  
18 like material for placement inside the premises, not withstanding the aggregate  
19 value limitation of par. (a).

20 **\*-2318/3.8\* SECTION 2808.** 125.33 (2) (L) of the statutes is renumbered 125.33  
21 (2) (L) 1.

22 **\*-2318/3.9\* SECTION 2809.** 125.33 (2) (L) 2. of the statutes is created to read:

23 125.33 (2) (L) 2. Purchase advertising from a person who does not hold a license  
24 under this chapter and who conducts national or regional sweepstakes, contests, or  
25 promotions on the premises of Class “B” licensees or permittees that sell the brewer’s

1 or wholesaler's products. The person may promote an event or activity in connection  
2 with a sweepstakes, contest, or promotion, including promoting the location of the  
3 event or activity, if the Class "B" licensee or permittee on whose premises the event  
4 or activity will occur does not receive money for hosting the event or activity and,  
5 except as provided in subd. 4., if the advertising for the event or activity identifies  
6 at least 4 unaffiliated Class "B" licensees or permittees.

7 **\*-2318/3.10\* SECTION 2810.** 125.33 (2) (L) 3. of the statutes is created to read:

8 125.33 (2) (L) 3. Conduct national or regional sweepstakes, contests, or  
9 promotions on the premises of Class "B" licensees or permittees that sell the brewer's  
10 or wholesaler's products. The brewer or wholesaler may promote an event or activity  
11 in connection with a sweepstakes, contest, or promotion, including promoting the  
12 location of the event or activity, if the Class "B" licensee or permittee on whose  
13 premises the event or activity will occur does not receive money for hosting the event  
14 or activity and, except as provided in subd. 4., if the advertising for the event or  
15 activity identifies at least 4 unaffiliated Class "B" licensees or permittees.

16 **\*b0687/1.7\* SECTION 2810m.** 125.33 (2) (L) 4. of the statutes is created to read:

17 125.33 (2) (L) 4. A brewer that manufactures less than 30,000 barrels of  
18 fermented malt beverages annually may purchase advertising under subd. 2, and  
19 may promote sweepstakes, contests, or promotions through advertising under subd.  
20 3., if the advertising identifies at least one Class "B" licensee or permittee.

21 **\*-2318/3.11\* SECTION 2811.** 125.33 (2) (n) 2. of the statutes is amended to read:

22 125.33 (2) (n) 2. Notwithstanding subd. 1., no brewer or wholesaler may  
23 provide business entertainment to a Class "B" licensee or permittee under subd. 1.  
24 in one day that has a value exceeding ~~\$75~~ \$500, and no brewer or wholesaler may

1 provide business entertainment to a Class “B” licensee or permittee under subd. 1.  
2 on more than 8 days in any calendar year.

3 \***-2318/3.12\*** SECTION 2812. 125.33 (2s) of the statutes is amended to read:

4 125.33 (2s) EXCEPTION FOR RETAIL TRADE ASSOCIATION CONTRIBUTIONS.

5 Notwithstanding the prohibitions in sub. (1), a brewer ~~that produces 350,000 or more~~  
6 ~~barrels of fermented malt beverages annually~~ or wholesaler may contribute money  
7 or other things of value to a bona fide national-~~er~~, statewide, or local trade association  
8 which derives its principle income from membership dues of Class “B” licensees.

9 \***b0687/1.9\*** SECTION 2812m. 125.33 (7m) of the statutes is created to read:

10 125.33 (7m) CONDITIONAL PURCHASES. No Class “A” or Class “B” licensee may

11 condition the purchase of fermented malt beverages from a brewer or wholesaler  
12 upon the furnishing by the brewer or wholesaler of any thing of value, other than the  
13 products purchased, to the licensee or to any person for the use, benefit, or relief of  
14 the licensee.

15 \***b0687/1.9\*** SECTION 2812s. 125.35 of the statutes is created to read:

16 125.35 Fermented malt beverage dealerships. (1) DEFINITIONS. In this  
17 section, unless otherwise qualified:

18 (a) “Dealer” has the meaning given in s. 135.02 (2).

19 (b) “Dealership” has the meaning given in s. 135.02 (3).

20 (c) “Grantor” has the meaning given in s. 135.02 (5).

21 (d) “Person” has the meaning given in s. 135.02 (6).

22 (2) COMPENSATION OF PRIOR DEALER. Notwithstanding s. 135.03, and except as  
23 provided in sub. (3), any person who assumes, in whole or in part, a dealership  
24 described in s. 135.02 (3) (c) following the grantor’s termination, cancellation, or  
25 nonrenewal in whole or in part of a prior dealership agreement shall compensate the

1 prior dealer for the fair market value of that portion of the dealership assumed unless  
2 the grantor terminated, canceled, or failed to renew for any of the following reasons:

3 (a) The prior dealer engaged in material fraudulent conduct or made material  
4 and substantial misrepresentations in its dealings with the grantor or with others  
5 related to the dealership.

6 (b) The prior dealer was convicted of, or pleaded no contest to, a felony crime  
7 substantially related to the dealer's ability to operate the dealership.

8 (c) The prior dealer knowingly distributed dealership products outside the  
9 territory authorized by the grantor.

10 (3) TERMINATION BY PRIOR DEALER. A prior dealer is not entitled to compensation  
11 under sub. (2) if, before any termination, cancellation, or nonrenewal by the grantor  
12 or assumption by another dealer of any dealership specified in sub. (2), the prior  
13 dealer terminated business relations with the grantor by means of any of the  
14 following:

15 (a) Death, retirement, or dissolution of the prior dealer.

16 (b) Failure of the prior dealer to engage in the operation of the dealership  
17 business, including sale of the dealership business.

18 (c) Failure of the prior dealer to order goods from the grantor within the  
19 previous 30 days.

20 (4) BINDING ARBITRATION. The grantor shall advise the person assuming the  
21 dealership of the person's obligations under sub. (2) prior to the person's assumption  
22 of the dealership. If the person assuming a dealership under sub. (2) and the prior  
23 dealer agree in writing to the fair market value of that portion of the dealership  
24 assumed, the person assuming the dealership shall pay the agreed upon sum to the  
25 prior dealer within 30 days of the date on which the parties reached the agreement.

1 If no written agreement for compensation of the prior dealer is reached within 30  
2 days after the grantor's termination, cancellation, or nonrenewal of the prior  
3 dealership agreement, the prior dealer may submit the dispute for binding  
4 arbitration, subject to ch. 788, through a nationally recognized arbitration  
5 association. Unless the parties agree otherwise, the arbitration shall be conducted  
6 on an expedited basis to the extent an expedited proceeding is reasonably available  
7 through the arbitration association, and each party shall pay an equal share of the  
8 cost of the arbitration.

9 \*b0427/2.1\* SECTION 2814g. 134.66 (3) (title) of the statutes is repealed and  
10 recreated to read:

11 134.66 (3) (title) DEFENSES.

12 \*b0427/2.1\* SECTION 2814i. 134.66 (3) (intro.) of the statutes is renumbered  
13 134.66 (3) (a) (intro.).

14 \*b0427/2.1\* SECTION 2814L. 134.66 (3) (br) of the statutes is created to read:

15 134.66 (3) (br) Proof by a retailer that the act for which the retailer is being  
16 prosecuted under sub. (2) (a) was committed by his or her agent or employee and that  
17 the retailer provided training on the prohibitions under sub. (2) (a) to that agent or  
18 employee is a defense to any prosecution for a violation of sub. (2) (a). The defense  
19 is not available to a retailer who knowingly permits his or her agent or employee to  
20 sell or provide for nominal or no consideration cigarettes or tobacco products to  
21 individuals under the age of 18.

22 \*~~2318/3.13~~\* SECTION 2827. 135.02 (3) (c) of the statutes is created to read:

23 135.02 (3) (c) A contract or agreement, either expressed or implied, whether  
24 oral or written, between 2 or more persons by which a wholesaler, as defined in s.  
25 125.02 (21), is granted the right to sell or distribute fermented malt beverages or use

1 a trade name, trademark, service mark, logotype, brand, advertising, or other  
2 commercial symbol related to fermented malt beverages.

3 \*b0667/1.1\* SECTION 2830g. 137.01 (1) (a) of the statutes is amended to read:

4 137.01 (1) (a) The governor shall appoint notaries public who shall be  
5 Wisconsin United States residents and at least 18 years of age. Applicants who are  
6 not attorneys shall file an application with the secretary of state and pay a \$20 fee.

7 \*b0667/1.1\* SECTION 2830j. 137.01 (1) (d) of the statutes is amended to read:

8 137.01 (1) (d) Qualified applicants shall be notified by the secretary of state to  
9 take and file the official oath and execute and file an official bond in the sum of \$500,  
10 with a surety to be approved by the clerk of the circuit court for his or her county, or,  
11 if executed by a surety company, and approved by the secretary of state.

12 \*b0667/1.1\* SECTION 2830m. 137.01 (2) (a) of the statutes is amended to read:

13 137.01 (2) (a) Any Wisconsin Except as provided in par. (am), any United States  
14 resident who is licensed to practice law in this state is entitled to a permanent  
15 commission as a notary public upon application to the secretary of state and payment  
16 of a \$50 fee. The application shall include a certificate of good standing from the  
17 supreme court, the signature and post-office address of the applicant and an  
18 impression of the applicant's official seal, or imprint of the applicant's official rubber  
19 stamp.

20 \*b0667/1.1\* SECTION 2830p. 137.01 (2) (am) of the statutes is created to read:

21 137.01 (2) (am) If a United States resident has his or her license to practice law  
22 in this state suspended or revoked, upon reinstatement of his or her license to  
23 practice law in this state, the person may be entitled to receive a certificate of  
24 appointment as a notary public for a term of 4 years. An eligible notary appointed  
25 under this paragraph is entitled to reappointment for 4-year increments. At least

1 30 days before the expiration of a commission under this paragraph the secretary of  
2 state shall mail notice of the expiration date to the holder of the commission.

3 \*b0667/1.1\* SECTION 2830r. 137.01 (2) (b) of the statutes is amended to read:

4 137.01 (2) (b) The secretary of state shall issue a certificate of appointment as  
5 a notary public to persons who qualify under the requirements of this subsection.  
6 ~~Such~~ The certificate shall state that the notary commission is permanent or is for 4  
7 years.

8 \*b0667/1.2\* SECTION 2833g. 137.01 (6) (b) of the statutes is repealed.

9 \*b0667/1.2\* SECTION 2833j. 137.01 (6m) of the statutes is amended to read:

10 137.01 (6m) CHANGE OF RESIDENCE. A notary public ~~shall~~ does not vacate his  
11 or her office by reason of his or her change of residence within the state United States.  
12 Written notice of any change of address shall be given to the secretary of state within  
13 5 10 days of ~~such~~ the change.

14 \*b0667/1.2\* SECTION 2833m. 137.01 (7) of the statutes is amended to read:

15 137.01 (7) OFFICIAL RECORDS TO BE FILED. When any notary public ceases to hold  
16 office the notary public, or in case of the notary public's death the notary public's  
17 executor or administrator, shall deposit the notary public's official records and  
18 papers in the office of the ~~clerk of the circuit court of the county of the notary public's~~  
19 ~~residence~~ secretary of state. If any such notary or any executor or administrator,  
20 after such records and papers come to his or her hands, neglects for 3 months to  
21 deposit them, he or she shall forfeit not less than \$50 nor more than \$500. If any  
22 person knowingly destroys, defaces or conceals any records or papers of any notary  
23 public, the person shall forfeit not less than \$50 nor more than \$500, and shall be  
24 liable to the party injured for all damages thereby sustained. ~~The clerks of the circuit~~

1 courts secretary of state shall receive and safely keep all such papers and records in  
2 their office.

3 \***-1841/1.1**\* SECTION 2842. 139.30 (7) of the statutes is amended to read:

4 139.30 (7) “Manufacturer” means any person who manufactures cigarettes for  
5 the purpose of sale, including the authorized agent of a person who manufactures  
6 cigarettes for the purpose of sale.

7 \***b0693/1.1**\* SECTION 2842m. 139.31 (1) (a) of the statutes is amended to read:

8 139.31 (1) (a) On cigarettes weighing not more than 3 pounds per thousand,  
9 ~~29.5~~ 34 mills on each cigarette.

10 \***b0693/1.1**\* SECTION 2842n. 139.31 (1) (b) of the statutes is amended to read:

11 139.31 (1) (b) On cigarettes weighing more than 3 pounds per thousand, ~~59~~ 68  
12 mills on each cigarette.

13 \***-1841/1.2**\* SECTION 2843. 139.31 (4) of the statutes is created to read:

14 139.31 (4) No person may sell or distribute in this state, acquire, store, possess,  
15 or transport for sale or distribution in this state, import or cause to be imported into  
16 this state for sale or distribution in this state, or affix stamps as described under s.  
17 139.32 to, any of the following:

18 (a) A cigarette package on which a statement, label, stamp, sticker, or notice  
19 indicates that the manufacturer did not intend the cigarettes in the package to be  
20 sold, distributed, or used in the United States, including labels stating “for export  
21 only,” “U.S. tax exempt,” “for use outside U.S.,” or similar wording.

22 (b) A cigarette package that does not comply with 15 USC 1333 and 15 USC  
23 1335 or other federal law.

24 (c) A cigarette package that has been altered as described in sub. (5).



1 (d) Any cigarettes that are imported into the United States in violation of  
2 federal law.

3 **\*-1841/1.3\* SECTION 2844.** 139.31 (5) of the statutes is created to read:

4 139.31 (5) (a) No person may alter a cigarette package before the sale or  
5 distribution to the ultimate consumer so as to remove, conceal, or obscure any of the  
6 following:

7 1. Any statement, label, stamp, sticker, or notice described in sub. (4) (a).

8 2. Any health warning that is not specified in or that does not conform with the  
9 requirements under 15 USC 1333.

10 (b) No person may affix stamps, as described in s. 139.32, to any cigarette  
11 package that is altered as described in par. (a).

12 **\*b0692/2.4\* SECTION 2845m.** 139.31 (6) of the statutes is created to read:

13 139.31 (6) Subsections (4) and (5) do not apply to cigarettes that may be brought  
14 into the United States for personal use and cigarettes that are sold or intended for  
15 sale by a duty-free enterprise, as provided under 19 USC 1555, not including  
16 cigarettes that are brought into a customs territory, as defined under 19 USC 1555  
17 (2) (b) (C), for resale within the customs territory.

18 **\*-1841/1.5\* SECTION 2846.** 139.34 (3) of the statutes is created to read:

19 139.34 (3) No distributor may affix stamps to cigarette packages, as provided  
20 in s. 139.32, unless the distributor certifies to the department, in a manner  
21 prescribed by the department, that the distributor purchases cigarettes directly from  
22 a manufacturer.

23 **\*b0692/2.5\* SECTION 2847m.** 139.39 (4m) of the statutes is created to read:

1           139.39 (4m) Any person who sells, distributes, or manufactures cigarettes and  
2 who sustains direct economic or commercial injury as the result of a violation of this  
3 chapter may bring an action for injunctive relief.

4           **\*b0692/2.5\* SECTION 2847n.** 139.40 (1) of the statutes is amended to read:

5           139.40 (1) All cigarettes acquired, owned, imported, possessed, kept, stored,  
6 made, sold, distributed or transported in violation of this chapter, and all personal  
7 property used in connection therewith is unlawful property and subject to seizure by  
8 the secretary or any peace officer. All cigarettes seized for violating s. 139.31 (4) or  
9 (5) shall be destroyed.

10          **\*b0694/1.1\* SECTION 2848m.** 139.76 (1) of the statutes is amended to read:

11          139.76 (1) An excise tax is imposed upon the sale, offering or exposing for sale,  
12 possession with intent to sell or removal for consumption or sale or other disposition  
13 for any purpose of tobacco products by any person engaged as a distributor of them  
14 at the rate of ~~20%~~ 30% of the manufacturer's established list price to distributors  
15 without diminution by volume or other discounts on domestic products. On products  
16 imported from another country the rate of tax is ~~20%~~ 30% of the amount obtained by  
17 adding the manufacturer's list price to the federal tax, duties and transportation  
18 costs to the United States. The tax attaches at the time the tobacco products are  
19 received by the distributor in this state. The tax shall be passed on to the ultimate  
20 consumer of the tobacco products. All tobacco products received in this state for sale  
21 or distribution within this state, except tobacco products actually sold as provided  
22 in sub. (2), shall be subject to such tax.

23          **\*b0694/1.1\* SECTION 2848n.** 139.78 (1) of the statutes is amended to read:

24          139.78 (1) A tax is imposed upon the use or storage by consumers of tobacco  
25 products in this state at the rate of ~~20%~~ 30% of the cost of the tobacco products. The

1 tax does not apply if the tax imposed by s. 139.76 (1) on the tobacco products has been  
2 paid or if the tobacco products are exempt from the tobacco products tax under s.  
3 139.76 (2).

4 **\*b0404/1.3\* SECTION 2848r.** 146.185 (3) of the statutes is amended to read:

5 146.185 (3) From the appropriation under s. 20.435 (5) ~~(fh)~~ (kb), the  
6 department shall in each fiscal year award up to \$200,000 in grants for activities to  
7 improve the health status of economically disadvantaged minority group members.  
8 A person may apply, in the manner specified by the department, for a grant of up to  
9 \$50,000 in each fiscal year to conduct these activities. ~~A grant awarded~~ An awardee  
10 of a grant under this subsection ~~may not exceed 50% of the cost of the activities.~~ An  
11 applicant's required contribution for a grant shall provide, for at least 50% of the  
12 grant amount, matching funds that may consist of funding or an in-kind  
13 contribution. An applicant that is not a federally qualified health center, as defined  
14 under 42 CFR 405.2401 (b) shall receive priority for grants awarded under this  
15 subsection.

16 **\*b0404/1.3\* SECTION 2848s.** 146.185 (4) of the statutes is amended to read:

17 146.185 (4) From the appropriation under s. 20.435 (5) ~~(fh)~~ (kb), the  
18 department shall award a grant of up to ~~\$100,000~~ \$50,000 in each fiscal year to a  
19 private nonprofit corporation that applies, in the manner specified by the  
20 department, to conduct a public information campaign on minority health.

21 **\*-0299/2.1\* SECTION 2850.** 146.55 (2m) (a) of the statutes is repealed and  
22 recreated to read:

23 146.55 (2m) (a) The department shall contract with a physician to direct the  
24 state emergency medical services program. The department may expend from the  
25 funding under the federal preventive health services project grant program under

1 42 USC 2476 under the appropriation under s. 20.435 (1) (mc), \$25,000 in each fiscal  
2 year for this purpose.

3 **\*b0608/1.2\* SECTION 2850d.** 146.65 of the statutes is created to read:

4 **146.65 Rural health dental clinic.** From the appropriation under s. 20.435  
5 (5) (dm), the department shall distribute funds to the rural health dental clinic  
6 located in Ladysmith that provides dental services to persons in the counties of Rusk,  
7 Price, Taylor, Sawyer, and Chippewa who are developmentally disabled or elderly or  
8 who have low income. The department shall also seek federal funding to support the  
9 operations of the rural health dental clinic.

10 **\*b0394/1.1\* SECTION 2850c.** 149.115 of the statutes is amended to read:

11 **149.115 Rules relating to creditable coverage.** The commissioner, in  
12 consultation with the department, shall promulgate rules that specify how  
13 creditable coverage is to be aggregated for purposes of ~~ss. s. 149.10 (2t) (a) and 149.14~~  
14 ~~(6) (b) 1. a.~~ and that determine the creditable coverage to which ~~ss. s. 149.10 (2t) (b)~~  
15 ~~and (d) and 149.14 (6) (b) 1. b. and d. apply~~ applies. The rules shall comply with  
16 section 2701 (c) of P.L. 104–191.

17 **\*b0394/1.1\* SECTION 2850d.** 149.13 (4) of the statutes is created to read:

18 149.13 (4) Notwithstanding subs. (1) to (3), the department, with the  
19 agreement of the commissioner, may perform various administrative functions  
20 related to the assessment of insurers participating in the cost of administering the  
21 plan.

22 **\*b0394/1.1\* SECTION 2850e.** 149.14 (3) (nm) of the statutes is created to read:

23 149.14 (3) (nm) Hospice care provided by a hospice licensed under subch. IV  
24 of ch. 50.

1           **\*b0395/2.1\* SECTION 2850f.** 149.14 (5) (title) of the statutes is amended to  
2 read:

3           149.14 (5) (title) DEDUCTIBLES, COPAYMENTS AND COINSURANCE, AND  
4 OUT-OF-POCKET LIMITS.

5           **\*b0395/2.1\* SECTION 2850g.** 149.14 (5) (b) of the statutes is amended to read:

6           149.14 (5) (b) Except as provided in ~~par.~~ pars. (c) and (e), if the covered costs  
7 incurred by the eligible person exceed the deductible for major medical expense  
8 coverage in a calendar year, the plan shall pay at least 80% of any additional covered  
9 costs incurred by the person during the calendar year.

10           **\*b0395/2.1\* SECTION 2850h.** 149.14 (5) (c) of the statutes is amended to read:

11           149.14 (5) (c) If Except as provided in par. (e), if the aggregate of the covered  
12 costs not paid by the plan under par. (b) and the deductible exceeds \$500 for an  
13 eligible person receiving medicare, \$2,000 for any other eligible person during a  
14 calendar year or \$4,000 for all eligible persons in a family, the plan shall pay 100%  
15 of all covered costs incurred by the eligible person during the calendar year after the  
16 payment ceilings under this paragraph are exceeded.

17           **\*b0395/2.1\* SECTION 2850i.** 149.14 (5) (e) of the statutes is amended to read:

18           149.14 (5) (e) Subject to sub. (8) (b), the department may, by rule under s. 149.17  
19 (4), establish ~~copayments~~ for prescription drug coverage under sub. (3) (d) copayment  
20 amounts, coinsurance rates, and copayment and coinsurance out-of-pocket limits  
21 over which the plan will pay 100% of covered costs under sub. (3) (d). Any copayment  
22 ~~amounts or rates~~ amount, coinsurance rate, or out-of-pocket limit established ~~are~~  
23 under this paragraph is subject to the approval of the board. Copayments and  
24 coinsurance paid by an eligible person under this paragraph ~~shall~~ are separate from

1 and do not count toward the deductible and covered costs not paid by the plan under  
2 pars. (a) to (c).

3 **\*b0394/1.1\* SECTION 2850j.** 149.14 (6) (b) 1. of the statutes is repealed.

4 **\*b0394/1.1\* SECTION 2850k.** 149.14 (6) (b) 2. of the statutes is renumbered  
5 149.14 (6) (b) and amended to read:

6 149.14 (6) (b) An eligible individual who obtains coverage under the plan ~~on~~  
7 ~~or after June 17, 1998,~~ may not be subject to any preexisting condition exclusion  
8 under the plan. ~~An eligible individual who is covered under the plan on June 17,~~  
9 ~~1998, may not be subject to any preexisting condition exclusion on or after June 17,~~  
10 ~~1998.~~

11 **\*b0395/2.1\* SECTION 2850Lc.** 149.142 (1) (b) of the statutes is amended to  
12 read:

13 149.142 (1) (b) The payment rate for a prescription drug shall be the allowable  
14 charge paid under s. 49.46 (2) (b) 6. h. for the prescription drug. Notwithstanding  
15 s. 149.17 (4), the department may not reduce the payment rate for prescription drugs  
16 below the rate specified in this paragraph, and the rate may not be adjusted under  
17 s. 149.143 or 149.144.

18 **\*b0395/2.1\* SECTION 2850Ld.** 149.142 (2) of the statutes is amended to read:

19 149.142 (2) The Except as provided in sub. (1) (b), the rates established under  
20 this section are subject to adjustment under ss. 149.143 and 149.144.

21 **\*b0395/2.1\* SECTION 2850Le.** 149.143 (1) (b) 1. d. of the statutes is amended  
22 to read:

23 149.143 (1) (b) 1. d. Fourth, notwithstanding subd. 2., by increasing insurer  
24 assessments, excluding assessments under s. 149.144, and adjusting provider  
25 payment rates, subject to s. 149.142 (1) (b) and excluding adjustments to those rates

1 under s. 149.144, in equal proportions and to the extent that the amounts under  
2 subd. 1. a. to c. are insufficient to pay 60% of plan costs.

3 \*b0395/2.1\* SECTION 2850Lf. 149.143 (1) (b) 2. b. of the statutes is amended  
4 to read:

5 149.143 (1) (b) 2. b. Fifty percent from adjustments to provider payment rates,  
6 subject to s. 149.142 (1) (b) and excluding adjustments to those rates under s.  
7 149.144.

8 \*b0395/2.1\* SECTION 2850Lg. 149.143 (2) (a) 4. of the statutes is amended to  
9 read:

10 149.143 (2) (a) 4. By the same rule as under subd. 3. adjust the provider  
11 payment rate for the new plan year, subject to s. 149.142 (1) (b), by estimating and  
12 setting the rate at the level necessary to equal the amounts specified in sub. (1) (b)  
13 1. d. and 2. b. and as provided in s. 149.145.

14 \*b0394/1.1\* SECTION 2850Lj. 149.143 (2m) (b) 3. of the statutes is created to  
15 read:

16 149.143 (2m) (b) 3. For distribution to eligible persons, notwithstanding any  
17 requirements in this chapter related to setting premium amounts. The department,  
18 with the approval of the board and the concurrence of the plan actuary, shall  
19 determine the policies, eligibility criteria, methodology, and other factors to be used  
20 in making any distribution under this subdivision.

21 \*b0395/2.1\* SECTION 2850Lh. 149.143 (3) (a) of the statutes is amended to  
22 read:

23 149.143 (3) (a) If, during a plan year, the department determines that the  
24 amounts estimated to be received as a result of the rates and amount set under sub.  
25 (2) (a) 2. to 4. and any adjustments in insurer assessments and the provider payment

1 rate under s. 149.144 will not be sufficient to cover plan costs, the department may  
2 by rule increase the premium rates set under sub. (2) (a) 2. for the remainder of the  
3 plan year, subject to s. 149.146 (2) (b) and the maximum specified in sub. (2) (a) 2.,  
4 by rule increase the assessments set under sub. (2) (a) 3. for the remainder of the plan  
5 year, subject to sub. (1) (b) 2. a., and by the same rule under which assessments are  
6 increased adjust the provider payment rate set under sub. (2) (a) 4. for the remainder  
7 of the plan year, subject to sub. (1) (b) 2. b. and s. 149.142 (1) (b).

8 \*b0395/2.1\* SECTION 2850Li. 149.143 (3) (b) of the statutes is amended to  
9 read:

10 149.143 (3) (b) If the department increases premium rates and insurer  
11 assessments and adjusts the provider payment rate under par. (a) and determines  
12 that there will still be a deficit and that premium rates have been increased to the  
13 maximum extent allowable under par. (a), the department may further adjust, in  
14 equal proportions, assessments set under sub. (2) (a) 3. and the provider payment  
15 rate set under sub. (2) (a) 4., without regard to sub. (1) (b) 2. but subject to s. 149.142  
16 (1) (b).

17 \*b0395/2.1\* SECTION 2850Lj. 149.143 (5) (a) of the statutes is amended to  
18 read:

19 149.143 (5) (a) Annually, no later than April 30, the department shall perform  
20 a reconciliation with respect to plan costs, premiums, insurer assessments, and  
21 provider payment rate adjustments based on data from the previous calendar year.  
22 On the basis of the reconciliation, the department shall make any necessary  
23 adjustments in premiums, insurer assessments, or provider payment rates, subject  
24 to s. 149.142 (1) (b), for the fiscal year beginning on the first July 1 after the  
25 reconciliation, as provided in sub. (2) (b).



1           **\*b0395/2.1\* SECTION 2850Lk.** 149.143 (5) (b) of the statutes is amended to  
2 read:

3           149.143 (5) (b) Except as provided in sub. (3) and s. 149.144, the department  
4 shall adjust the provider payment rates to meet the providers' specified portion of the  
5 plan costs no more than once annually, subject to s. 149.142 (1) (b). The department  
6 may not determine the adjustment on an individual provider basis or on the basis  
7 of provider type, but shall determine the adjustment for all providers in the  
8 aggregate, subject to s. 149.142 (1) (b).

9           **\*b0395/2.1\* SECTION 2850Lm.** 149.144 of the statutes is amended to read:

10           **149.144 Adjustments to insurer assessments and provider payment**  
11 **rates for premium and deductible reductions.** If the moneys transferred to the  
12 fund under the appropriation under s. 20.435 (4) (ah) are insufficient to reimburse  
13 the plan for premium reductions under s. 149.165 and deductible reductions under  
14 s. 149.14 (5) (a), or the department determines that the moneys transferred or to be  
15 transferred to the fund under the appropriation under s. 20.435 (4) (ah) will be  
16 insufficient to reimburse the plan for premium reductions under s. 149.165 and  
17 deductible reductions under s. 149.14 (5) (a), the department may, by rule, adjust in  
18 equal proportions the amount of the assessment set under s. 149.143 (2) (a) 3. and  
19 the provider payment rate set under s. 149.143 (2) (a) 4., subject to ~~s.~~ ss. 149.142 (1)  
20 (b) and 149.143 (1) (b) 1., sufficient to reimburse the plan for premium reductions  
21 under s. 149.165 and deductible reductions under s. 149.14 (5) (a). If the department  
22 makes the adjustment under this section, the department shall notify the  
23 commissioner so that the commissioner may levy any increase in insurer  
24 assessments.

25           **\*b0395/2.1\* SECTION 2850Ln.** 149.145 of the statutes is amended to read:

1           **149.145 Program budget.** The department, in consultation with the board,  
2 shall establish a program budget for each plan year. The program budget shall be  
3 based on the provider payment rates specified in s. 149.142 and in the most recent  
4 provider contracts that are in effect and on the funding sources specified in s. 149.143  
5 (1), including the methodologies specified in ss. 149.143, 149.144, and 149.146 for  
6 determining premium rates, insurer assessments, and provider payment rates.  
7 Except as otherwise provided in s. 149.143 (3) (a) and (b) and subject to s. 149.142  
8 (1) (b), from the program budget the department shall derive the actual provider  
9 payment rate for a plan year that reflects the providers' proportional share of the  
10 plan costs, consistent with ss. 149.143 and 149.144. The department may not  
11 implement a program budget established under this section unless it is approved by  
12 the board.

13           **\*b0394/1.1\* SECTION 2850m.** 149.146 (1) (b) 1. of the statutes is repealed.

14           **\*b0394/1.1\* SECTION 2850p.** 149.146 (1) (b) 2. of the statutes is renumbered  
15 149.146 (1) (b).

16           **\*b0395/2.1\* SECTION 2850q.** 149.146 (2) (am) 2. of the statutes is amended to  
17 read:

18           149.146 (2) (am) 2. Except as provided in subd. subds. 3. and 5., if the covered  
19 costs incurred by the eligible person exceed the deductible for major medical expense  
20 coverage in a calendar year, the plan shall pay at least 80% of any additional covered  
21 costs incurred by the person during the calendar year.

22           **\*b0395/2.1\* SECTION 2850r.** 149.146 (2) (am) 3. of the statutes is amended to  
23 read:

24           149.146 (2) (am) 3. If Except as provided in subd. 5., if the aggregate of the  
25 covered costs not paid by the plan under subd. 2. and the deductible exceeds \$3,500

1 for any eligible person during a calendar year or \$7,000 for all eligible persons in a  
2 family, the plan shall pay 100% of all covered costs incurred by the eligible person  
3 during the calendar year after the payment ceilings under this subdivision are  
4 exceeded.

5 **\*b0395/2.1\* SECTION 2850s.** 149.146 (2) (am) 5. of the statutes is created to  
6 read:

7 149.146 (2) (am) 5. Subject to s. 149.14 (8) (b), the department may, by rule  
8 under s. 149.17 (4), establish for prescription drug coverage under this section  
9 copayment amounts, coinsurance rates, and copayment and coinsurance  
10 out-of-pocket limits over which the plan will pay 100% of covered costs for  
11 prescription drugs. Any copayment amount, coinsurance rate, or out-of-pocket  
12 limit established under this subdivision is subject to the approval of the board.  
13 Copayments and coinsurance paid by an eligible person under this subdivision are  
14 separate from and do not count toward the deductible and covered costs not paid by  
15 the plan under subds. 1. to 3.

16 **\*b0394/1.1\* SECTION 2850w.** 149.15 (1) of the statutes is amended to read:

17 149.15 (1) The plan shall have a board of governors consisting of  
18 representatives of 2 participating insurers which that are nonprofit corporations,  
19 representatives of 2 other participating insurers, 3 health care provider  
20 representatives, including one representative of the State Medical Society of  
21 Wisconsin, one representative of the Wisconsin Health and Hospital Association and  
22 one representative of an integrated multidisciplinary health system, and 3 4 public  
23 members, including one representative of small businesses in the state, appointed  
24 by the secretary for staggered 3-year terms. In addition, the commissioner, or a  
25 designated representative from the office of the commissioner, and the secretary, or

1 a designated representative from the department, shall be members of the board.  
2 The public members shall not be professionally affiliated with the practice of  
3 medicine, a hospital, or an insurer. At least 2 one of the public members shall be  
4 ~~individuals reasonably expected to qualify for an individual who has coverage under~~  
5 ~~the plan or the parent or spouse of such an individual.~~ The secretary or the  
6 secretary's representative shall be the chairperson of the board. Board members,  
7 except the commissioner or the commissioner's representative and the secretary or  
8 the secretary's representative, shall be compensated at the rate of \$50 per diem plus  
9 actual and necessary expenses.

10 \*b0393/1.1\* SECTION 2850x. 149.25 of the statutes is created to read:

11 **149.25 Case management pilot program.** (1) DEFINITIONS. In this section:

12 (a) "Chronic disease" means any disease, illness, impairment, or other physical  
13 condition that requires health care and treatment over a prolonged period and,  
14 although amenable to treatment, is irreversible and frequently progresses to  
15 increasing disability or death.

16 (b) "Health professional shortage area" means an area that is designated by the  
17 federal department of health and human services under 42 CFR part 5, appendix A,  
18 as having a shortage of medical care professionals.

19 (2) PROGRAM AND ELIGIBILITY REQUIREMENTS. (a) The department shall conduct  
20 a 3-year pilot program, beginning on July 1, 2002, under which eligible persons who  
21 qualify under par. (b) are provided community-based case management services.

22 (b) To be eligible to participate in the pilot program, an eligible person must  
23 satisfy any of the following criteria:

- 24 1. Be diagnosed as having a chronic disease.
- 25 2. Be taking 2 or more prescribed medications on a regular basis.