

1 **85.511 Farm progress days.** (1) The department is prohibited from charging
2 any sponsor of farm progress days for any costs incurred by the department
3 associated with farm progress days.

4 (2) The department shall promulgate rules specifying eligibility as a sponsor
5 under sub. (1) and determining the conditions that shall be satisfied to qualify as
6 farm progress days under sub. (1).

7 ***b0248/2.1* SECTION 2340k.** 85.517 of the statutes is created to read:

8 **85.517 Database redesign; division of motor vehicles.** By January 2,
9 2002, and biennially by January 2 thereafter, the department shall submit to the
10 joint committee on finance, and to the appropriate standing committees of the
11 legislature under s. 13.172 (3), a report on the progress of the division of motor
12 vehicles database redesign. The report shall include all of the following:

13 (1) The identification of all portions of the database redesign that have been
14 completed and all portions planned for completion within 12 months following the
15 report.

16 (2) The identification of any change in data processing, administrative, or other
17 process efficiencies realized from those portions of the database redesign that have
18 been completed, or anticipated from those portions of the database redesign that are
19 planned for completion within 12 months following the report.

20 (3) A timetable for completion of the database redesign, including the
21 identification of all portions of the database redesign that remain to be completed
22 and their projected dates of completion.

23 (4) Any recommended statutory changes or funding levels to facilitate the
24 database redesign or any data processing, administrative, or other process
25 efficiencies associated with the database redesign.

1 ***b0254/1.1* SECTION 2340t.** 85.56 of the statutes is created to read:

2 **85.56 Joint committee on finance review of transportation safety**
3 **contracts.** The department may not enter into any contract relating to alcohol or
4 traffic enforcement activities to be funded in whole or in part with federal
5 transportation safety funds unless the department first notifies the joint committee
6 on finance in writing of the proposed contract. If the cochairpersons of the committee
7 do not notify the department within 14 working days after the date of the
8 department's notification that the committee has scheduled a meeting to review the
9 proposed contract, the department may enter into the proposed contract. If, within
10 14 working days after the date of the department's notification, the chairpersons of
11 the committee notify the department that the committee has scheduled a meeting to
12 review the proposed contract, the department may enter into the proposed contract
13 only upon approval of the committee.

14 ***b0517/2.1* SECTION 2340r.** 86.193 of the statutes is created to read:

15 **86.193 Agricultural tourism signs.** The department shall develop and
16 implement a plan, consistent with federal and state laws, to promote and maximize
17 the erection of agricultural tourism signs on highways in this state to identify and
18 provide directional information to any agricultural tourism facility located in this
19 state. In developing and implementing the plan under this section, the department
20 shall consult with the department of agriculture, trade and consumer protection.

21 ***-2162/1.1* SECTION 2341.** 86.30 (2) (a) 3. (intro.) of the statutes is renumbered
22 86.30 (2) (a) 3. and amended to read:

23 86.30 (2) (a) 3. For each mile of road or street under the jurisdiction of a
24 municipality as determined under s. 86.302, the mileage aid payment shall be an

1 amount equal to the following: \$1,704 in calendar year 2001, \$1,755 in calendar year
2 2002, and \$1,790 in calendar year 2003 and thereafter.

3 ***-2162/1.2*** SECTION 2342. 86.30 (2) (a) 3. g. of the statutes is repealed.

4 ***-2162/1.3*** SECTION 2343. 86.30 (2) (a) 3. h. of the statutes is repealed.

5 ***-2162/1.4*** SECTION 2344. 86.30 (9) (b) of the statutes is amended to read:

6 86.30 (9) (b) For the purpose of calculating and distributing aids under sub. (2),
7 the amounts for aids to counties are ~~\$78,744,300 in calendar years 1998 and 1999,~~
8 ~~and \$84,059,500 in calendar year years 2000 and 2001,~~ \$86,581,300 in calendar year
9 2002, and \$88,312,900 in calendar year 2003 and thereafter. These amounts, to the
10 extent practicable, shall be used to determine the statewide county average
11 cost-sharing percentage in the particular calendar year.

12 ***-2162/1.5*** SECTION 2345. 86.30 (9) (c) of the statutes is amended to read:

13 86.30 (9) (c) For the purpose of calculating and distributing aids under sub. (2),
14 the amounts for aids to municipalities are ~~\$247,739,100 in calendar years 1998 and~~
15 ~~1999, and \$264,461,500 in calendar year years 2000 and 2001,~~ \$272,395,300 in
16 calendar year 2002, and \$277,843,200 in calendar year 2003 and thereafter. These
17 amounts, to the extent practicable, shall be used to determine the statewide
18 municipal average cost-sharing percentage in the particular calendar year.

19 ***b0652/1.1*** SECTION 2346m. 86.31 (2) (f) of the statutes is created to read:

20 86.31 (2) (f) With respect to town road improvements, the department shall
21 give priority to town road improvements under subs. (3) and (3m) that fund
22 improvements of town roads that have been damaged as a result of heavy motor truck
23 loads.

24 ***b0504/1.1*** SECTION 2347f. 86.31 (3g) of the statutes is amended to read:

1 86.31 (3g) COUNTY TRUNK HIGHWAY IMPROVEMENTS. From the appropriation
2 under s. 20.395 (2) (fr), the department shall allocate ~~\$5,000,000~~ \$5,250,000 in each
3 fiscal year, beginning in fiscal year 2001–02, to fund county trunk highway
4 improvements with eligible costs totaling more than \$250,000. The funding of
5 improvements under this subsection is in addition to the allocation of funds for
6 entitlements under sub. (3).

7 ***b0504/1.1* SECTION 2347k.** 86.31 (3m) of the statutes is amended to read:

8 86.31 (3m) TOWN ROAD IMPROVEMENTS. From the appropriation under s. 20.395
9 (2) (fr), the department shall allocate ~~\$2,000,000 in fiscal year 1999–2000 and~~
10 ~~\$500,000 in each following fiscal year~~ \$750,000 in each fiscal year, beginning in fiscal
11 year 2001–02, to fund town road improvements with eligible costs totaling \$100,000
12 or more. The funding of improvements under this subsection is in addition to the
13 allocation of funds for entitlements under sub. (3).

14 ***b0504/1.1* SECTION 2347r.** 86.31 (3r) of the statutes is amended to read:

15 86.31 (3r) MUNICIPAL STREET IMPROVEMENTS. From the appropriation under s.
16 20.395 (2) (fr), the department shall allocate ~~\$1,250,000 in fiscal year 1999–2000,~~
17 ~~and \$750,000 in each fiscal year thereafter~~ \$1,000,000 in each fiscal year, beginning
18 in fiscal year 2001–02, to fund municipal street improvement projects having total
19 estimated costs of \$250,000 or more. The funding of improvements under this
20 subsection is in addition to the allocation of funds for entitlements under sub. (3).

21 ***b0293/2.2* SECTION 2351h.** 88.15 (2m) of the statutes is created to read:

22 88.15 (2m) The department of agriculture, trade and consumer protection shall
23 create and maintain a secure Internet site on which drainage districts may post
24 engineering projects in order to obtain bids electronically for engineering services.

1 The department shall promulgate rules that specify fees designed to cover the costs
2 of creating and maintaining the Internet site.

3 ***-1813/4.13*** SECTION 2380. 92.14 (3) (intro.) of the statutes is amended to
4 read:

5 92.14 (3) BASIC ALLOCATIONS TO COUNTIES. (intro.) To help counties fund their
6 land and water conservation activities, the department shall award an annual grant
7 from the appropriation under s. 20.115 (7) (c) ~~or (qd)~~ or under s. 20.866 (2) (we) to any
8 county land conservation committee that has a land and water resource
9 management plan approved by the department under s. 92.10 (4) (d), and that, by
10 county board action, has resolved to provide any matching funds required under sub.
11 (5g). The county may use the grant for land and water resource management
12 planning and for any of the following purposes, consistent with the approved land
13 and water resource management plan:

14 ***b0297/5.9*** SECTION 2380g. 92.14 (5g) of the statutes is renumbered 92.14
15 (5g) (a) and amended to read:

16 92.14 (5g) (a) ~~If~~ Except as provided in par. (b), if a grant under sub. (3) provides
17 funding for salary and fringe benefits for more than one county staff person, a county
18 shall provide matching funds, as determined by the department, equal to at least
19 30% of the cost of salary and fringe benefits for the 2nd staff person and at least 50%
20 of the cost of salary and fringe benefits for any additional staff persons for whom the
21 grant provides funding.

22 ***b0297/5.9*** SECTION 2380i. 92.14 (5g) (b) of the statutes is created to read:

23 92.14 (5g) (b) For a grant awarded for a year before 2010, the department shall
24 require a county to provide matching funds for priority watershed project staff equal
25 to not less than 10% nor more than 30% of the staff funding that was provided to the

1 county for 1997 for a priority watershed that was designated before July 1, 1998.
2 This paragraph does not apply to matching funds for priority watershed project staff
3 after the termination date that was in effect on October 6, 1998, for the priority
4 watershed project.

5 ***-0397/2.2* SECTION 2383.** 93.06 (12) of the statutes is created to read:

6 93.06 (12) FEDERAL AGRICULTURAL POLICY REFORM. From the appropriation
7 under s. 20.115 (3) (a), provide at least \$50,000 in each fiscal year to organizations
8 to seek the reform of federal agricultural policy for the benefit of agricultural
9 producers in this state. This subsection does not apply after June 30, 2005.

10 ***-0404/3.1* SECTION 2390.** 93.23 (1) (h) of the statutes is repealed.

11 ***-0394/3.18* SECTION 2392.** 93.47 (2) of the statutes is amended to read:

12 93.47 (2) The department may award grants from the appropriation accounts
13 under s. 20.115 (4) (c) and ~~(i)~~ (8) (g) to individuals or organizations to fund
14 demonstration projects designed to encourage the use of sustainable agriculture.
15 The department shall promulgate rules to govern the sustainable agriculture grant
16 program under this section.

17 ***-0403/1.3* SECTION 2393.** 93.48 of the statutes is repealed.

18 ***b0294/2.4* SECTION 2395t.** 94.715 of the statutes is created to read:

19 **94.715 Pest management for schools. (1) DEFINITIONS.** In this section:

20 (a) “Active ingredient” has the meaning given in s. 94.67 (1).

21 (b) “Federal act” has the meaning given in s. 94.67 (13).

22 (c) “Inert ingredient” has the meaning given in s. 94.67 (16).

23 (cm) “Integrated pest management” means a comprehensive strategy of pest
24 control with the main objective of achieving desired levels of pest control in an
25 environmentally responsible manner to reduce or eliminate reliance on pesticides by

1 using a combination of nonchemical pest controls, which may include monitoring,
2 increased sanitation, physical barriers, and the use of natural pest enemies, to
3 address conditions that support pests and judiciously using lowest risk pesticides
4 when necessary after all other methods have failed.

5 (d) “Pest” has the meaning given in s. 94.67 (24).

6 (e) “Pesticide” has the meaning given in s. 94.67 (25), except that “pesticide”
7 does not include a germicide, sanitizer, or disinfectant.

8 (2) REQUIREMENTS FOR SCHOOL BOARDS. A school board shall do all of the
9 following:

10 (a) Propose a pest management plan that complies with sub. (4).

11 (am) Before proposing a plan under par. (a), obtain training under s. 36.25 (43)
12 for at least one member of the school board or school district employee who will be
13 involved in developing the pest management plan.

14 (b) After public notice and a hearing on the proposed plan under par. (a) and
15 no later than the first day of the 7th month beginning after the effective date of this
16 paragraph [revisor inserts date], adopt a pest management plan that complies
17 with sub. (4) and submit a copy of the plan to the department.

18 (c) No later than the first day of the 13th month beginning after the effective
19 date of this paragraph [revisor inserts date], implement the pest management
20 plan adopted under par. (b).

21 (d) Provide public notice and a hearing before modifying the pest management
22 plan adopted under par. (b) and notify the department of any modifications to the
23 plan.

1 (dm) Authorize pesticide application in a school or on school grounds to be
2 conducted only by persons who are certified in the applicable pesticide use categories
3 under s. 94.705.

4 (e) When the use of a pesticide is determined to be necessary in a school or on
5 school grounds, use pesticide in accordance with integrated pest management
6 practices.

7 (f) Except as provided in sub. (6), at least 72 hours in advance of each pesticide
8 application in a school or on school grounds, provide written notification, in a font
9 size no smaller than that routinely used for other notices to parents, of the name of
10 the pesticide to be applied, the planned time and location of the application, the
11 potential health effects of exposure to the pesticide, as indicated on its label, and the
12 name and telephone number of a person at the school who can be called for more
13 information or to report health effects from exposure, to all of the following:

14 1. Each employee of the school district, or of a contractor with the school
15 district, who may be present in the area of application within 72 hours after the
16 application.

17 2. Each student who may be present in the area of application within 72 hours
18 after the application.

19 3. The parents or guardians of the students under subd. 2.

20 (g) Post notice of each pesticide application in a school or on school grounds at
21 the time of the application and for at least 72 hours following the application.

22 (h) Maintain a record of all of the following for each application of pesticide in
23 a school or on school grounds:

24 1. The name and certification number of the person applying the pesticide.

1 2. The type of pesticide applied and its brand name, the name of the pesticide
2 as registered under the federal act, the pesticide registration number assigned to the
3 pesticide under the federal act, the manufacturer of the pesticide, and the pesticide's
4 active ingredients and inert ingredients.

5 3. The date and time of the application and the amount of pesticide applied.

6 4. How the pesticide was applied, including any additives used and the type of
7 application device used.

8 5. The street address of the place at which the pesticide was applied and a
9 description of the area to which the pesticide was applied.

10 6. The purpose of the application, including the target pest and whether the
11 application was preventive or reactive.

12 7. For an outdoor application, a description of the weather conditions at the
13 time of the application.

14 8. The symptoms of acute poisoning from the pesticide, as indicated on its label.

15 (i) Make the information under par. (h) available to any person upon request
16 and provide the information about pesticide applications to the department
17 quarterly, except as provided in sub. (6m).

18 (j) Review liability and property insurance maintained by the school board to
19 determine whether coverage is adequate for damage or loss caused by pesticides.

20 (k) Provide any information concerning pest management that is requested by
21 the department.

22 **(3) PROHIBITIONS.** (a) A school district may not routinely use pesticides on a
23 regularly scheduled basis in a school or on school grounds.

24 (b) A school district may not use pesticide fumigation in a school or on school
25 grounds.

1 (c) A school district may not use pesticides for aesthetic or cosmetic purposes.

2 (d) A school district may not use a pesticide in a school or on school grounds
3 unless nonchemical methods of pest control have failed to prevent unacceptable
4 levels of pest activity and damage.

5 (4) PEST MANAGEMENT PLAN. A school board shall design its pest management
6 plan required under sub. (2) (b) to prevent unacceptable levels of pest activity and
7 damage while minimizing hazards to persons, property, and the environment. In the
8 plan required under sub. (2) (b), a school board shall specify the pest management
9 practices that will be used by the school district and shall include all of the following:

10 (a) A description of the methods that will be used to identify pest problems,
11 including monitoring to determine whether pests are present in sufficient numbers
12 to require treatment with pesticides.

13 (b) A description of the nonchemical methods that the school district will use
14 to seek to prevent unacceptable levels of pest activity and damage.

15 (c) A description of the pesticides and methods of application that the school
16 district will use if the methods under par. (b) fail to prevent unacceptable levels of
17 pest activity and damage.

18 (d) A description of the other means that the school district will use to ensure
19 compliance with subs. (2) (c) to (k) and (3).

20 (6) EXEMPTION FROM ADVANCE NOTICE REQUIREMENT. A school board is not
21 required to provide advance notice of a pesticide application if the school district
22 administrator, as defined in s. 115.001 (8), or the school principal declares that a pest
23 emergency exists. If a pesticide is applied in a school or on school grounds without
24 advance notice, the school board shall provide written notification of the name of the
25 pesticide that was applied, the time and location of the application, the potential

1 health effects of exposure to the pesticide, as indicated on its label, and the name and
2 telephone number of a person at the school who can be called for more information
3 or to report health effects from exposure, to all of the persons identified in sub. (2)
4 (f) 1. to 3., as soon as possible after the application. The school board shall provide
5 the notice in a font size no smaller than that routinely used for other notices to
6 parents.

7 (6m) EXEMPTION FROM REPORTING REQUIREMENT. A school district is not required
8 to provide quarterly reports to the department under sub. (2) (i) if the school district
9 does not use pesticides and notifies the department that it does not use pesticides.
10 A school district shall begin to make the quarterly reports if it begins to use
11 pesticides.

12 (7) ASSISTANCE AND COOPERATION. The department shall provide assistance to
13 school districts in complying with subs. (2) to (4). The department shall consult with
14 the department of health and family services and the department of public
15 instruction concerning school pest management issues. The department and the
16 board of regents of the University of Wisconsin System shall enter into a
17 memorandum of understanding concerning school pest management and the
18 provision of training by the University of Wisconsin–Extension to ensure cooperation
19 between the department and the University of Wisconsin–Extension and to avoid
20 duplication of activities. The University of Wisconsin–Extension and the cooperative
21 educational service agencies shall cooperate in providing the training under s. 36.25
22 (43).

23 (8) AVAILABILITY OF PLANS. The department shall retain pest management plans
24 submitted under sub. (2) (b) and make the plans available to any person upon
25 request.

1 (9) REPORT. On or before January 1 of each even-numbered year, the
2 department, in cooperation with the University of Wisconsin–Extension and the
3 department of health and family services, shall submit a report evaluating the
4 program under this section to the legislature under s. 13.172 (2).

5 *–0401/1.8* SECTION 2398. 95.15 of the statutes is repealed.

6 *–0399/1.2* SECTION 2399. 95.60 (8) of the statutes is created to read:

7 95.60 (8) The department may provide training to veterinarians and other
8 persons who issue fish health certificates for the purposes of this section. The
9 department may charge fees to recover the cost of providing the training.

10 *b0552/1.2* SECTION 2403e. 97.60 of the statutes is created to read:

11 **97.60 Food advisory council.** The food advisory council shall meet at least
12 quarterly and shall advise the department concerning issues related to providing a
13 safe and wholesome food supply in this state, including all of the following:

14 (1) Food recalls.

15 (2) Rules that apply to retail food establishments and food processing plants.

16 (3) Food safety concerns and communications.

17 (4) Training.

18 (5) Partnerships between the department and the food industry.

19 (6) Enforcement and inspection.

20 (7) Other issues related to the food industry.

21 *–2007/2.3* SECTION 2408. 100.20 (2) (b) of the statutes is amended to read:

22 100.20 (2) (b) Notwithstanding par. (a), the department may not issue any
23 order or promulgate any rule that regulates the provision of water or sewer service
24 by a ~~mobile~~ manufactured home park operator, as defined in s. ~~196.01 (3t)~~ 101.91 (8),
25 or ~~mobile~~ manufactured home park contractor, as defined in s. ~~196.01 (3q)~~ 101.91

1 (6m), or enforce any rule to the extent that the rule regulates the provision of such
2 water or sewer service.

3 ***-0454/3.2* SECTION 2422.** 100.261 (title) of the statutes is amended to read:

4 **100.261 (title) Consumer information protection assessment.**

5 ***-0454/3.3* SECTION 2423.** 100.261 (1) of the statutes is amended to read:

6 100.261 (1) If a court imposes a fine or forfeiture for a violation of this chapter,
7 ch. 98, a rule promulgated under this chapter or ch. 98 or an ordinance enacted under
8 this chapter or ch. 98, the court shall also impose a consumer information protection
9 assessment in an amount equal to ~~15%~~ 25% of the fine or forfeiture imposed. If
10 multiple violations are involved, the court shall base the consumer information
11 protection assessment upon the the total of the fine or forfeiture amounts for all
12 violations. If a fine or forfeiture is suspended in whole or in part, the court shall
13 reduce the assessment in proportion to the suspension.

14 ***-0454/3.4* SECTION 2424.** 100.261 (2) of the statutes is amended to read:

15 100.261 (2) If any deposit is made for a violation to which this section applies,
16 the person making the deposit shall also deposit a sufficient amount to include the
17 consumer information protection assessment required under this section. If the
18 deposit is forfeited, the amount of the consumer information protection assessment
19 shall be transmitted to the state treasurer under sub. (3). If the deposit is returned,
20 the consumer information protection assessment shall also be returned.

21 ***-0454/3.5* SECTION 2425.** 100.261 (3) (a) of the statutes is amended to read:

22 100.261 (3) (a) The clerk of court shall collect and transmit the consumer
23 information protection assessment amounts to the county treasurer under s. 59.40
24 (2) (m). The county treasurer shall then make payment to the state treasurer under
25 s. 59.25 (3) (f) 2.

1 ***-0454/3.6*** SECTION 2426. 100.261 (3) (b) 1. of the statutes is renumbered
2 100.261 (3) (b) and amended to read:

3 100.261 (3) (b) The state treasurer shall deposit the consumer protection
4 assessment amounts in the general fund and shall credit them to the appropriation
5 account under s. 20.115 (1) (jb), subject to the limit under subd. 2 par. (c).

6 ***-0454/3.7*** SECTION 2427. 100.261 (3) (b) 2. of the statutes is renumbered
7 100.261 (3) (c) and amended to read:

8 100.261 (3) (c) The amount credited to the appropriation account under s.
9 20.115 (1) (jb) may not exceed ~~\$85,000~~ \$185,000 in each fiscal year.

10 ***-1335/7.56*** SECTION 2434. 100.45 (1) (dm) of the statutes is amended to read:

11 100.45 (1) (dm) “State agency” means any office, department, agency,
12 institution of higher education, association, society or other body in state
13 government created or authorized to be created by the constitution or any law which
14 is entitled to expend moneys appropriated by law, including the legislature and the
15 courts, the Wisconsin Housing and Economic Development Authority, the Bradley
16 Center Sports and Entertainment Corporation, the University of Wisconsin
17 Hospitals and Clinics Authority ~~and~~, the Wisconsin Health and Educational
18 Facilities Authority, and the Fox River Navigational System Authority.

19 ***-0664/2.2*** SECTION 2449. 101.09 (3) (d) of the statutes is created to read:

20 101.09 (3) (d) The department shall promulgate a rule specifying fees for plan
21 review and inspection of tanks for the storage, handling, or use of flammable or
22 combustible liquids and for any certification or registration required under par. (c).

23 ***b0338/1.2*** SECTION 2449f. 101.123 (title) of the statutes is repealed and
24 recreated to read:

25 **101.123 (title) Smoking prohibited.**

1 ***b0338/1.2* SECTION 2449h.** 101.123 (1) (i) of the statutes is amended to read:

2 101.123 (1) (i) “State institution” means a prison, ~~a secured correctional~~
3 ~~facility,~~ a mental health institute as defined in s. 51.01 (12) or a center for the
4 developmentally disabled as defined in s. 51.01 (3), ~~except that “state institution”~~
5 ~~does not include a Type 2 secured correctional facility, as defined in s. 938.02 (20).~~

6 ***b0338/1.2* SECTION 2449j.** 101.123 (1) (j) of the statutes is created to read:

7 101.123 (1) (j) “Type 1 secured correctional facility” has the meaning given in
8 s. 938.02 (19).

9 ***b0338/1.2* SECTION 2449L.** 101.123 (2) (br) of the statutes is created to read:

10 101.123 (2) (br) Notwithstanding par. (a) and sub. (3), no person may smoke
11 in any enclosed, indoor area of a Type 1 secured correctional facility or on the grounds
12 of a Type 1 secured correctional facility.

13 ***b0338/1.2* SECTION 2449n.** 101.123 (4) (a) 2. of the statutes is amended to
14 read:

15 101.123 (4) (a) 2. A person in charge or his or her agent may not designate an
16 entire building as a smoking area or designate any smoking areas in the state capitol
17 building, in the immediate vicinity of the state capitol, in a Type 1 secured
18 correctional facility, on the grounds of a Type 1 secured correctional facility, in a
19 motor bus, hospital or physician’s office or on the premises, indoors or outdoors, of
20 a day care center when children who are receiving day care services are present,
21 except that in a hospital or a unit of a hospital that has as its primary purpose the
22 care and treatment of mental illness, alcoholism or drug abuse a person in charge or
23 his or her agent may designate one or more enclosed rooms with outside ventilation
24 as smoking areas for the use of adult patients who have the written permission of a

1 physician. Subject to this subdivision and sub. (3) (b), a person in charge or his or
2 her agent may not designate an entire room as a smoking area.

3 ***b0338/1.2* SECTION 2449p.** 101.123 (4) (am) 3. of the statutes is amended to
4 read:

5 101.123 (4) (am) 3. Except in a prison, ~~secured correctional facility~~, jail, or
6 lockup facility, an entire building may not be designated as a smoking area.

7 ***b0338/1.2* SECTION 2449r.** 101.123 (4) (bm) of the statutes is amended to
8 read:

9 101.123 (4) (bm) The person in charge of a state institution, jail or lockup
10 facility, or his or her agent, shall post notice of the designation of a smoking area
11 under par. (am) in or near the area designated. If an entire room is designated a
12 smoking area, the person in charge or his or her agent shall post notice of the
13 designation conspicuously on or near all normally used entrances to the room. If an
14 entire building in a prison, ~~secured correctional facility~~, jail, or lockup facility is
15 designated a smoking area, the person in charge, or his or her agent, shall post notice
16 of the designation on or near all normally used entrances to the building, but need
17 not post notice of the designation on or near entrances to rooms within the building.

18 ***b0338/1.2* SECTION 2449t.** 101.123 (8) (a) of the statutes is amended to read:

19 101.123 (8) (a) Any person who wilfully violates sub. (2) (a), (am) 1. ~~or~~, (bm),
20 or (br) after being advised by an employee of the facility that smoking in the area is
21 prohibited or any person in charge or his or her agent who wilfully fails to comply
22 with sub. (5) shall forfeit not more than \$10.

23 ***b0211/1.1* SECTION 2464f.** 101.143 (1) (e) 3. of the statutes is created to read:

24 101.143 (1) (e) 3. A person who formerly owned a farm tank and who satisfies
25 the criteria in sub. (4) (ei) 1m. b.

1 ***b0202/1.1* SECTION 2468p.** 101.143 (4) (a) 2. of the statutes is renumbered
2 101.143 (4) (a) 2. (intro.) and amended to read:

3 101.143 (4) (a) 2. (intro.) The department may not issue an award before all
4 eligible costs have been incurred and written approval is received under sub. (3) (c)
5 4., unless except as follows:

6 a. The department may issue an award before all eligible costs have been
7 incurred and written approval is received under sub. (3) (c) 4. if the department
8 determines that the delay in issuing the award would cause a financial hardship to
9 the owner or operator or the person.

10 ***b0202/1.1* SECTION 2468r.** 101.143 (4) (a) 2. b. of the statutes is created to
11 read:

12 101.143 (4) (a) 2. b. The department shall issue an award if the owner or
13 operator or the person has incurred at least \$50,000 in unreimbursed eligible costs
14 and has not submitted a claim during the preceding 12 months.

15 ***-0662/3.1* SECTION 2469.** 101.143 (4) (a) 6. of the statutes is amended to read:
16 101.143 (4) (a) 6. In any fiscal year, the department may not award more than
17 5% of the amount appropriated under s. 20.143 (3) (v) as awards for petroleum
18 product storage systems described in par. (ei) 1.

19 ***-1815/7.6* SECTION 2470.** 101.143 (4) (b) (intro.) of the statutes is amended
20 to read:

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

1 ***b0202/1.2* SECTION 2470p.** 101.143 (4) (c) 8. (intro.) and a. of the statutes are
2 consolidated, renumbered 101.143 (4) (c) 8. and amended to read:

3 101.143 (4) (c) 8. Interest costs incurred by an applicant that exceed interest
4 at the following rate: ~~a. If the applicant has gross revenues of not more than~~
5 ~~\$25,000,000 in the most recent tax year before the applicant submits a claim, 1%~~
6 under the prime rate.

7 ***b0202/1.2* SECTION 2470r.** 101.143 (4) (c) 8. d. of the statutes is repealed.

8 ***-1815/7.7* SECTION 2471..**101.143 (4) (cc) of the statutes is created to read:

9 101.143 (4) (cc) *Ineligibility for interest reimbursement.* 1. a. Except as
10 provided in subd. 1m. or 2., if an applicant's final claim is submitted more than 120
11 days after receiving written notification that no further remedial action is necessary
12 with respect to the discharge, interest costs incurred by the applicant after the 60th
13 day after receiving that notification are not eligible costs.

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

20 1m. If an applicant received written notification that no further remedial
21 action is necessary with respect to a discharge before the effective date of this
22 subdivision [revisor inserts date], and the applicant's final claim is submitted
23 more than 120 days after the effective date of this subdivision [revisor inserts
24 date], interest costs incurred by the applicant after the 120th day after the effective
25 date of this subdivision [revisor inserts date], are not eligible costs.

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

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

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

9 ***-0662/3.2* SECTION 2472.** 101.143 (4) (d) 2. c. of the statutes is amended to
10 read:

11 101.143 (4) (d) 2. c. For an owner or operator of a petroleum product storage
12 system described in par. (ei) ~~1.~~, \$100,000.

13 ***-0662/3.3* SECTION 2473.** 101.143 (4) (dm) 2. c. of the statutes is amended to
14 read:

15 101.143 (4) (dm) 2. c. For the owner or operator of a petroleum product storage
16 system that is described in par. (ei) ~~1.~~, \$2,500 plus 5% of eligible costs per occurrence.

17 ***-0662/3.4* SECTION 2474.** 101.143 (4) (dm) 3. c. of the statutes is amended to
18 read:

19 101.143 (4) (dm) 3. c. For an owner or operator of a petroleum product storage
20 system described in par. (ei) ~~1.~~, \$100,000.

21 ***-0662/3.5* SECTION 2475.** 101.143 (4) (e) 2. of the statutes is amended to read:

22 101.143 (4) (e) 2. The department shall issue the award under this paragraph
23 without regard to fault in an amount equal to the amount of the eligible costs that
24 exceeds a deductible amount of \$10,000, except that the deductible amount for a
25 petroleum product storage system that is owned by a school district or a technical

1 college district and that is used for storing heating oil for consumptive use on the
2 premises where stored is 25% of eligible costs and except that the deductible for a
3 petroleum product storage system that is described in par. (ei) ~~1~~, is \$2,500 plus 5%
4 of the eligible costs, but not more than \$7,500 per occurrence without regard to when
5 the eligible costs are incurred.

6 ***-0662/3.6* SECTION 2476.** 101.143 (4) (e) 2m. of the statutes is amended to
7 read:

8 101.143 (4) (e) 2m. An award issued under this paragraph may not exceed
9 \$190,000 for each occurrence, except that an award under this paragraph to the
10 owner or operator of a petroleum product storage system described in par. (ei) ~~1~~, may
11 not exceed \$100,000 per occurrence.

12 ***-0662/3.7* SECTION 2477.** 101.143 (4) (ei) 1. (intro.) of the statutes is
13 renumbered 101.143 (4) (ei) (intro.).

14 ***-0662/3.8* SECTION 2478.** 101.143 (4) (ei) 1. a. of the statutes is renumbered
15 101.143 (4) (ei) 1m. a. and amended to read:

16 101.143 (4) (ei) 1m. a. The owner or operator of the farm tank owns a parcel
17 of 35 or more acres of contiguous land, on which the farm tank is located, which is
18 devoted primarily to agricultural use, as defined in s. 91.01 (1), including land
19 designated by the department of natural resources as part of the ice age trail under
20 s. 23.17, which during the year preceding submission of a first claim under sub. (3)
21 produced gross farm profits, as defined in s. 71.58 (4), of not less than \$6,000 or
22 which, during the 3 years preceding that submission produced gross farm profits, as
23 defined in s. 71.58 (4), of not less than \$18,000, or a parcel of 35 or more acres, on
24 which the farm tank is located, of which at least 35 acres, during part or all of the

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 *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

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

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

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

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

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

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

(a) That the National Geographic Society Education Foundation shall establish and manage a trust fund consisting of any grant made under 2001 Wisconsin Act (this act), section 9101 ~~(NO TAG) (NO TAG)~~, and \$500,000 in matching funds provided by the Foundation.

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

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

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:

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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

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

(d) That, if the trust fund established under par. (a) is dissolved, the National Geographic Society Education Foundation shall return to the department the grant made under 2001 Wisconsin Act ... (this act), section 9101 ~~(NO TAG) (NO TAG)~~, and unexpended income thereon. (10)(b)

(e) That the agreement is not effective unless the secretary of administration determines that the transfer between the appropriation accounts described under 2001 Wisconsin Act ... (this act), section 9101 ~~(NO TAG) (NO TAG)~~, has occurred and that the National Geographic Society Education Foundation has provided the matching funds described in par. (a). (10)(b)

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

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

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

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

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 (br)~~. 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) (e)~~ (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. (e)~~ 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 21.07 (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.** 21.07 (7) (b) of the statutes is amended to read:

6 21.07 (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. 121.09
8 and 121.85 (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. 121.08, 121.105, 121.85 (6) (a) and (g) and 121.86.

12 ***b0682/2.3* SECTION 2767m.** 21.085 of the statutes is created to read:

13 **21.085 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.
17 121.15 (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.** 21.09 (1) of the statutes is amended to read:

21 21.09 (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 ~~(g)~~.

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);³ 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 (q)~~.

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 (q)~~.

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 (q)~~ 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