

1 ***-0664/2.2* SECTION 2449.** 101.09 (3) (d) of the statutes is created to read:

2 101.09 (3) (d) The department shall promulgate a rule specifying fees for plan
3 review and inspection of tanks for the storage, handling, or use of flammable or
4 combustible liquids and for any certification or registration required under par. (c).

5 ***b0338/1.2* SECTION 2449f.** 101.123 (title) of the statutes is repealed and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

7 **101.123 (title) Smoking prohibited.**

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

9 101.123 (1) (i) “State institution” means a prison, ~~a secured correctional~~
10 ~~facility~~, a mental health institute as defined in s. 51.01 (12) or a center for the
11 developmentally disabled as defined in s. 51.01 (3), ~~except that “state institution”~~
12 ~~does not include a Type 2 secured correctional facility, as defined in s. 938.02 (20).~~

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

14 101.123 (1) (j) “Type 1 secured correctional facility” has the meaning given in
15 s. 938.02 (19).

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

17 101.123 (2) (br) Notwithstanding par. (a) and sub. (3), no person may smoke
18 in any enclosed, indoor area of a Type 1 secured correctional facility or on the grounds
19 of a Type 1 secured correctional facility.

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

22 101.123 (4) (a) 2. A person in charge or his or her agent may not designate an
23 entire building as a smoking area or designate any smoking areas in the state capitol
24 building, in the immediate vicinity of the state capitol, in a Type 1 secured
25 correctional facility, on the grounds of a Type 1 secured correctional facility, in a

1 motor bus, hospital or physician's office or on the premises, indoors or outdoors, of
2 a day care center when children who are receiving day care services are present,
3 except that in a hospital or a unit of a hospital that has as its primary purpose the
4 care and treatment of mental illness, alcoholism or drug abuse a person in charge or
5 his or her agent may designate one or more enclosed rooms with outside ventilation
6 as smoking areas for the use of adult patients who have the written permission of a
7 physician. Subject to this subdivision and sub. (3) (b), a person in charge or his or
8 her agent may not designate an entire room as a smoking area.

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

11 101.123 (4) (am) 3. Except in a prison, ~~secured correctional facility~~, jail, or
12 lockup facility, an entire building may not be designated as a smoking area.

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

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

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

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

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

6 101.143 (1) (e) 3. A person who formerly owned a farm tank and who satisfies
7 the criteria in sub. (4) (ei) 1m. b.

8 ***b0202/1.1* SECTION 2468p.** 101.143 (4) (a) 2. of the statutes is renumbered
9 101.143 (4) (a) 2. (intro.) and amended to read:

10 101.143 (4) (a) 2. (intro.) The department may not issue an award before all
11 eligible costs have been incurred and written approval is received under sub. (3) (c)
12 4., ~~unless~~ except as follows:

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

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

19 101.143 (4) (a) 2. b. The department shall issue an award if the owner or
20 operator or the person has incurred at least \$50,000 in unreimbursed eligible costs
21 and has not submitted a claim during the preceding 12 months.

22 ***-0662/3.1* SECTION 2469.** 101.143 (4) (a) 6. of the statutes is amended to read:

23 101.143 (4) (a) 6. In any fiscal year, the department may not award more than
24 5% of the amount appropriated under s. 20.143 (3) (v) as awards for petroleum
25 product storage systems described in par. (ei) 1.

1 ***-1815/7.6*** SECTION 2470. 101.143 (4) (b) (intro.) of the statutes is amended
2 to read:

3 101.143 (4) (b) *Eligible costs.* (intro.) Except as provided in par. (c) or (cc),
4 eligible costs for an award under par. (a) include actual costs or, if the department
5 establishes a usual and customary cost under par. (cm) for an item, usual and
6 customary costs for the following items:

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

9 101.143 (4) (c) 8. Interest costs incurred by an applicant that exceed interest
10 at the following rate: ~~a. If the applicant has gross revenues of not more than~~
11 ~~\$25,000,000 in the most recent tax year before the applicant submits a claim, 1%~~
12 under the prime rate.

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

14 ***-1815/7.7*** SECTION 2471. 101.143 (4) (cc) of the statutes is created to read:

15 101.143 (4) (cc) *Ineligibility for interest reimbursement.* 1. a. Except as
16 provided in subd. 1m. or 2., if an applicant's final claim is submitted more than 120
17 days after receiving written notification that no further remedial action is necessary
18 with respect to the discharge, interest costs incurred by the applicant after the 60th
19 day after receiving that notification are not eligible costs.

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

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

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

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

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

15 *~~0662/3.2~~* SECTION 2472. 101.143 (4) (d) 2. c. of the statutes is amended to
16 read:

17 101.143 (4) (d) 2. c. For an owner or operator of a petroleum product storage
18 system described in par. (ei) ~~1~~, \$100,000.

19 *~~0662/3.3~~* SECTION 2473. 101.143 (4) (dm) 2. c. of the statutes is amended to
20 read:

21 101.143 (4) (dm) 2. c. For the owner or operator of a petroleum product storage
22 system that is described in par. (ei) ~~1~~, \$2,500 plus 5% of eligible costs per occurrence.

23 *~~0662/3.4~~* SECTION 2474. 101.143 (4) (dm) 3. c. of the statutes is amended to
24 read:

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

3 ***-0662/3.5*** SECTION 2475. 101.143 (4) (e) 2. of the statutes is amended to read:

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

13 ***-0662/3.6*** SECTION 2476. 101.143 (4) (e) 2m. of the statutes is amended to
14 read:

15 101.143 (4) (e) 2m. An award issued under this paragraph may not exceed
16 \$190,000 for each occurrence, except that an award under this paragraph to the
17 owner or operator of a petroleum product storage system described in par. (ei) ~~1~~ may
18 not exceed \$100,000 per occurrence.

19 ***-0662/3.7*** SECTION 2477. 101.143 (4) (ei) 1. (intro.) of the statutes is
20 renumbered 101.143 (4) (ei) (intro.).

21 ***-0662/3.8*** SECTION 2478. 101.143 (4) (ei) 1. a. of the statutes is renumbered
22 101.143 (4) (ei) 1m. a. and amended to read:

23 101.143 (4) (ei) 1m. a. The owner or operator of the farm tank owns a parcel
24 of 35 or more acres of contiguous land, on which the farm tank is located, which is
25 devoted primarily to agricultural use, as defined in s. 91.01 (1), including land

1 designated by the department of natural resources as part of the ice age trail under
2 s. 23.17, which during the year preceding submission of a first claim under sub. (3)
3 produced gross farm profits, as defined in s. 71.58 (4), of not less than \$6,000 or
4 which, during the 3 years preceding that submission produced gross farm profits, as
5 defined in s. 71.58 (4), of not less than \$18,000, or a parcel of 35 or more acres, on
6 which the farm tank is located, of which at least 35 acres, during part or all of the
7 year preceding that submission, were enrolled in the conservation reserve program
8 under 16 USC 3831 to 3836.

9 *~~0662/3.9~~* SECTION 2479. 101.143 (4) (ei) 1. b. of the statutes is renumbered
10 101.143 (4) (ei) 2m.

11 *~~0662/3.10~~* SECTION 2480. 101.143 (4) (ei) 1m. (intro.) of the statutes is
12 created to read:

13 101.143 (4) (ei) 1m. (intro.) One of the following conditions is satisfied:

14 *~~b0211/1.2~~* SECTION 2481b. 101.143 (4) (ei) 1m. b. of the statutes is created
15 to read:

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

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

3 ***-0662/3.12* SECTION 2482.** 101.143 (4) (ei) 2. of the statutes is renumbered
4 101.143 (4) (a) 5m. and amended to read:

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

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

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

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

3 101.143 (9m) (g) 2. Revenue obligations issued under this subsection may not
4 exceed \$270,000,000 \$342,000,000 in principal amount, excluding any obligations
5 that have been defeased under a cash optimization program administered by the
6 building commission. In addition to this limit on principal amount, the building
7 commission may contract revenue obligations under this subsection as the building
8 commission determines is desirable to fund or refund outstanding revenue
9 obligations, to pay issuance or administrative expenses, to make deposits to reserve
10 funds, or to pay accrued or capitalized interest.

11 ***-0664/2.3*** SECTION 2490. 101.19 (1) (b) of the statutes is amended to read:

12 101.19 (1) (b) The required inspection of boilers, pressure vessels, refrigeration
13 plants, ~~petroleum and~~ liquefied petroleum gas vessels, anhydrous ammonia tanks
14 and containers, elevators, ski towing and lift devices, escalators, dumbwaiters, and
15 amusement or thrill rides but not of amusement attractions.

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

17 **101.563 Administration of fire dues program pending rule changes. (1)**
18 ENTITLEMENT TO DUES. Notwithstanding ss. 101.573 (3) (a) and 101.575 (1) and (3) to
19 (5) and except as provided in sub. (3), the department may not withhold payment of
20 fire department dues under ss. 101.573 and 101.575 to a city, village, or town based
21 upon the failure of that city, village, or town to satisfy all eligibility requirements
22 under s. 101.575 (1) and (3) to (5) or to demonstrate to the department that the city,
23 village, or town is eligible under s. 101.575 (1) and (3) to (5) to receive fire department
24 dues.

1 **(2) DISTRIBUTION OF DUES.** Notwithstanding s. 101.573 (3) (a) and except as
2 provided in sub. (3), on or before May 1 in each year, the department shall compile
3 the fire department dues paid by all insurers under s. 601.93 and the dues paid by
4 the state fire fund under s. 101.573 (1) and funds remaining under s. 101.573 (3) (b),
5 withhold 0.5% and certify to the state treasurer the proper amount to be paid from
6 the appropriation under s. 20.143 (3) (L) to each city, village, and town entitled to fire
7 department dues as provided under sub. (1) and s. 101.575. Annually, on or before
8 August 1, the state treasurer shall pay the amounts certified by the department to
9 each city, village, and town that is entitled to fire department dues as provided under
10 sub. (1) and s. 101.575.

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

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

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

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

23 (b) When filing rules that are promulgated and approved in satisfaction of par.
24 (a) 1. to 3. with the revisor of statutes under s. 227.20, the department shall include

1 a separate statement indicating that the rules were promulgated and approved in
2 satisfaction of par. (a) 1. to 3.

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

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

9 *b0631/1.3* SECTION 2497m. 101.575 (1) (am) of the statutes is amended to
10 read:

11 101.575 (1) (am) If the department determines that a city, village, or town fire
12 department has failed to satisfy the requirements of this subsection or subs. (3) to
13 (6), the department shall notify the chief of the fire department, the governing body,
14 and the highest elected official of the city, village, or town, in writing, that the fire
15 department has 30 days to demonstrate to the department that the failure has been
16 corrected. If the fire department makes this demonstration within the 30-day
17 period, the department shall pay dues for that calendar year to the city, village, or
18 town. If the fire department fails to make this demonstration within the 30-day
19 period, the department shall nonetheless pay dues for that calendar year to that city,
20 village, or town. The department and shall issue a notice of noncompliance to the
21 chief of the fire department, the governing body, and the highest elected official of the
22 city, village, or town. If the fire department cannot demonstrate to the department
23 that the fire department has met all requirements within one year after receipt of
24 the notice of noncompliance or prior to the next audit by the department, whichever
25 is later, the city, village, or town shall not be entitled to dues under par. (a) for that

1 year in which the city, village, or town becomes not entitled to dues and for all
2 subsequent calendar years until the requirements are met.

3 ***-2007/2.4* SECTION 2532.** Subchapter V (title) of chapter 101 [precedes
4 101.91] of the statutes is amended to read:

5 **CHAPTER 101**

6 **SUBCHAPTER V**

7 **MANUFACTURED HOMES AND MOBILE HOMES;**

8 **REGULATION OF MANUFACTURERS**

9 ***-2007/2.5* SECTION 2533.** 101.91 (2b) of the statutes is renumbered 101.91
10 (3).

11 ***-2007/2.6* SECTION 2534.** 101.91 (2d) of the statutes is renumbered 101.91
12 (4).

13 ***-2007/2.7* SECTION 2535.** 101.91 (2f) of the statutes is renumbered 101.91
14 (5m).

15 ***-2007/2.8* SECTION 2536.** 101.91 (2h) of the statutes is renumbered 101.91
16 (9).

17 ***-2007/2.9* SECTION 2537.** 101.91 (2k) of the statutes is renumbered 101.91
18 (10).

19 ***-2007/2.10* SECTION 2538.** 101.91 (5) of the statutes is renumbered 101.91
20 (11).

21 ***-2007/2.11* SECTION 2539.** 101.91 (6) of the statutes is renumbered 101.91
22 (12).

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

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

8 *~~2007/2.12~~* **SECTION 2540.** 101.93 (title) of the statutes is repealed and
9 recreated to read:

10 **101.93 (title) Plumbing in manufactured homes.**

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

13 101.935 (2) (c) 2. The department shall establish by rule the permit fee and
14 renewal fee for a permit issued under this subsection. Beginning in fiscal year
15 2002–03, the department may increase the fees to recover the cost of administering
16 s. 101.937. An additional penalty fee, as established by the department by rule, is
17 required for each permit if the biennial renewal fee is not paid before the permit
18 expires.

19 *~~2007/2.13~~* **SECTION 2541.** 101.937 (title) of the statutes is created to read:

20 **101.937 (title) Water and sewer service to manufactured home parks.**

21 *~~2411/3.31~~* **SECTION 2544.** 102.07 (9) of the statutes is amended to read:

22 102.07 (9) Members of the national guard, the naval militia, and state defense
23 force, when on state active duty under direction of appropriate authority, but only in
24 case federal laws, rules or regulations provide no benefits substantially equivalent
25 to those provided in this chapter.

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

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

8 ***-2411/3.32* SECTION 2545.** 102.475 (1) of the statutes is amended to read:

9 102.475 (1) SPECIAL BENEFIT. If the deceased employee is a law enforcement
10 officer, correctional officer, fire fighter, rescue squad member, diving team member,
11 national guard member, naval militia member, or state defense force member on
12 state active duty as described in s. 102.07 (9) or if a deceased person is an employee
13 or volunteer performing emergency management activities under ch. 166 during a
14 state of emergency or a circumstance described in s. 166.04, who sustained an
15 accidental injury while performing services growing out of and incidental to that
16 employment or volunteer activity so that benefits are payable under s. 102.46 or
17 102.47 (1), the department shall voucher and pay from the appropriation under s.
18 20.445 (1) (aa) a sum equal to 75% of the primary death benefit as of the date of death,
19 but not less than \$50,000 to the persons wholly dependent upon the deceased. For
20 purposes of this subsection, dependency shall be determined under ss. 102.49 and
21 102.51.

22 ***-1335/7.57* SECTION 2557.** 103.49 (1) (f) of the statutes is amended to read:

23 103.49 (1) (f) “State agency” means any office, department, independent
24 agency, institution of higher education, association, society or other body in state
25 government created or authorized to be created by the constitution or any law,

1 including the legislature and the courts. “State agency” also includes the University
2 of Wisconsin Hospitals and Clinics Authority and the Fox River Navigational System
3 Authority.

4 ***-1335/7.58* SECTION 2558.** 103.49 (2) of the statutes is amended to read:

5 103.49 (2) PREVAILING WAGE RATES AND HOURS OF LABOR. Any contract hereafter
6 made for the erection, construction, remodeling, repairing, or demolition of any
7 project of public works, except contracts for the construction or maintenance of public
8 highways, streets, and bridges, to which the state, or any state agency or the
9 University of Wisconsin Hospitals and Clinics Authority is a party shall contain a
10 stipulation that no person performing the work described in sub. (2m) may be
11 permitted to work a greater number of hours per day or per week than the prevailing
12 hours of labor, except that any such person may be permitted or required to work
13 more than such prevailing hours of labor per day and per week if he or she is paid
14 for all hours worked in excess of the prevailing hours of labor at a rate of at least 1.5
15 times his or her hourly basic rate of pay; nor may he or she be paid less than the
16 prevailing wage rate determined under sub. (3) in the same or most similar trade or
17 occupation in the area wherein such project of public works is situated. A reference
18 to the prevailing wage rates determined under sub. (3) and the prevailing hours of
19 labor shall be published in the notice issued for the purpose of securing bids for the
20 project. If any contract or subcontract for a project that is subject to this section is
21 entered into, the prevailing wage rates determined under sub. (3) and the prevailing
22 hours of labor shall be physically incorporated into and made a part of the contract
23 or subcontract, except that for a minor subcontract, as determined by the
24 department, the department shall prescribe by rule the method of notifying the
25 minor subcontractor of the prevailing wage rates and prevailing hours of labor

1 applicable to the minor subcontract. The prevailing wage rates and prevailing hours
2 of labor applicable to a contract or subcontract may not be changed during the time
3 that the contract or subcontract is in force.

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

5 103.49 (3) (ar) In determining prevailing wage rates under par. (a) or (am), the
6 department may not use data from projects that are subject to this section, s. 66.0903,
7 103.50, or 229.8275, or 40 USC 276a unless the department determines that there
8 is insufficient wage data in the area to determine those prevailing wage rates, in
9 which case the department may use data from projects that are subject to this
10 section, s. 66.0903, 103.50, or 229.8275, or 40 USC 276a. The department may also
11 use data from a project that is subject to this section, s. 66.0903, 103.50, or 229.8275,
12 or 40 USC 276a in determining prevailing wage rates under par. (a) or (am) if the
13 department determines that the wage rate paid on that project is higher than the
14 prevailing wage rate determined for that project.

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

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

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

6 ***1335/7.59*** **SECTION 2559.** 103.49 (7) (a) of the statutes is amended to read:

7 103.49 (7) (a) Except as provided under pars. (b) and (c), the department shall
8 distribute to all state agencies ~~and to the University of Wisconsin Hospitals and~~
9 ~~Clinics Authority~~ a list of all persons whom the department has found to have failed
10 to pay the prevailing wage rate determined under sub. (3) or has found to have paid
11 less than 1.5 times the hourly basic rate of pay for all hours worked in excess of the
12 prevailing hours of labor at any time in the preceding 3 years. The department shall
13 include with any name the address of the person and shall specify when the person
14 failed to pay the prevailing wage rate and when the person paid less than 1.5 times
15 the hourly basic rate of pay for all hours worked in excess of the prevailing hours of
16 labor. ~~A state agency or the University of Wisconsin Hospitals and Clinics Authority~~
17 may not award any contract to the person unless otherwise recommended by the
18 department or unless 3 years have elapsed from the date the department issued its
19 findings or date of final determination by a court of competent jurisdiction,
20 whichever is later.

21 ***b0461/1.3*** **SECTION 2559d.** 103.50 (6m) of the statutes is created to read:

22 103.50 (6m) RECORDS; INSPECTION. Each contractor, subcontractor, or
23 contractor's or subcontractor's agent performing work on a project that is subject to
24 this section shall keep full and accurate records clearly indicating the name and
25 trade or occupation of every person performing the work described in sub. (2m) and

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

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

14 103.64 (1m) "Farming" has the meaning given in s. 102.04 (3).

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

16 103.67 (2) (e) Minors 12 years of age or older may be employed in ~~agricultural~~
17 pursuits farming.

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

19 103.70 (1) Except as otherwise provided in sub. (2) and in ss. 103.21 to 103.31,
20 103.78, 938.245 (2) (a) 5. b., 938.32 (1t) (a) 2. and 938.34 (5) (b) and (5g) (c), and as
21 may be provided under s. 103.79, a minor, unless indentured as an apprentice in
22 accordance with s. 106.01, or unless 12 years and over and engaged in ~~agricultural~~
23 pursuits farming, or unless 14 years and over and enrolled in a youth apprenticeship
24 program under s. 106.13, shall not be employed or permitted to work at any gainful
25 occupation or employment unless there is first obtained from the department or a

1 permit officer a written permit authorizing the employment of the minor within
2 those periods of time stated in the permit, which shall not exceed the maximum hours
3 prescribed by law.

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

5 103.805 (1) The department or a permit officer shall ~~fix and collect a reasonable~~
6 ~~fee based on the cost of issuance of~~ collect a fee in the amount of \$7 for issuing permits
7 under ss. 103.25 and 103.71 and certificates of age under s. 103.75. The department
8 ~~may authorize the retention of the fees by the~~ A person designated to issue permits
9 and certificates of age ~~as compensation for the person's services if the person who is~~
10 not on the payroll of the division administering this chapter may retain \$2.50 of that
11 fee as compensation for the person's services and shall forward \$4.50 of that fee to
12 the department, which shall deposit that amount forwarded into the general fund
13 and credit \$2 of that amount forwarded to the appropriation account under s. 20.445
14 (1) (j). A person designated to issue permits and certificates of age who is on the
15 payroll of the division administering this chapter shall forward that fee to the
16 department, which shall deposit that fee into the general fund and credit \$2 of that
17 fee to the appropriation account under s. 20.445 (1) (j). The permit officer shall
18 account for all fees collected as the department prescribes.

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

20 106.01 (11) From the appropriation under s. 20.445 (1) (kt), the department
21 shall provide a trade masters pilot program to recognize advanced training and
22 postapprenticeship achievements in 3 trades, crafts, or businesses, one of which
23 shall be in the industrial sector, one in the construction sector, and one in the service
24 sector of the economy. By July 1, 2010, the department shall submit to the legislature
25 under s. 13.171 (2) an evaluation of the effectiveness of the program.

1 ***-1836/1.3* SECTION 2562.** 106.12 (4) of the statutes is created to read:

2 106.12 (4) PUBLICATIONS AND SEMINARS. The board may provide publications
3 and seminars relating to the employment and education programs administered by
4 the board and may establish a schedule of fees for those publications and seminars.
5 Fees established under this subsection for publications and seminars provided by the
6 board may not exceed the actual cost incurred in providing those publications and
7 seminars. The fees collected under this subsection shall be credited to the
8 appropriation account under s. 20.445 (7) (ga).

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

10 106.13 (1) (a) A youth apprenticeship program that includes the grant
11 programs under subs. ~~(3)~~ (3m) and (4).

12 ***-2009/1.3* SECTION 2564.** 106.13 (3m) (a) of the statutes is amended to read:

13 106.13 (3m) (a) In this subsection, “local partnership” means one or more
14 school districts, or any combination of one or more school districts, other public
15 agencies, as defined in sub. (4) (a) 2., nonprofit organizations, as defined in sub. (4)
16 (a) ~~1.~~ 1r., individuals or other persons, who have agreed to be responsible for
17 implementing and coordinating a local youth apprenticeship program.

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

20 106.13 (3m) (b) (intro.) From the appropriation under s. 20.445 (7) (b), the
21 board shall award grants to applying local partnerships for the implementation and
22 coordination of local youth apprenticeship programs. A local partnership shall
23 include in its grant application the identity of each public agency, nonprofit
24 organization, individual, and other person who is a participant in the local
25 partnership, a plan to accomplish the implementation and coordination activities

1 specified in subs. 1. to 6., and the identity of a fiscal agent who shall be responsible
2 for receiving, managing, and accounting for the grant moneys received under this
3 paragraph. ~~A Subject to par. (c), a~~ local partnership that is awarded a grant under
4 this paragraph may use the grant moneys awarded for any of the following
5 implementation and coordination activities:

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

7 106.13 (3m) (c) A local partnership that is awarded a grant under par. (b) may
8 not use any of the grant moneys awarded to provide funding to a business that is
9 operated for profit or to a nonprofit organization that represents business interests.

10 ***-2009/1.4* SECTION 2565.** 106.13 (4) (a) 1. of the statutes is renumbered
11 106.13 (4) (a) 1r.

12 ***-2009/1.5* SECTION 2566.** 106.13 (4) (a) 1d. of the statutes is created to read:

13 106.13 (4) (a) 1d. “Eligible employer” means an employer that is eligible to
14 receive a grant under this subsection according to the criteria established by the
15 board under par. (d).

16 ***-2009/1.6* SECTION 2567.** 106.13 (4) (b) of the statutes is amended to read:

17 106.13 (4) (b) From the appropriation under s. 20.445 (7) (em), the board may
18 award a grant to a public agency or a nonprofit organization, or to an eligible
19 employer that is responsible for the on-the-job training and supervision of a youth
20 apprentice. A public agency or ~~non-profit~~ nonprofit organization that receives a
21 grant under this subsection shall use the funds awarded under the grant to award
22 training grants to eligible employers that provide on-the-job training and
23 supervision for youth apprentices. Subject to par. (c), a training grant provided
24 under this subsection may be awarded to an eligible employer for each youth
25 apprentice who receives at least 180 hours of paid on-the-job training from the

1 eligible employer during a school year, as defined in s. 115.001 (13). The amount of
2 a training grant may not exceed \$500 per youth apprentice per school year. A
3 training grant may not be awarded for any specific youth apprentice for more than
4 2 school years.

5 ***-2009/1.7* SECTION 2568.** 106.13 (4) (c) of the statutes is amended to read:

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

11 ***-2009/1.8* SECTION 2569.** 106.13 (4) (d) of the statutes is created to read:

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

17 ***-2009/1.9* SECTION 2570.** 106.14 (1) of the statutes is renumbered 106.14 and
18 amended to read:

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

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

25 ***-1335/7.60* SECTION 2575.** 106.215 (1) (e) of the statutes is amended to read:

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

6 *~~0671/4.1~~* **SECTION 2593.** 106.215 (10) (fm) 1. of the statutes is amended to
7 read:

8 106.215 (10) (fm) 1. Corps enrollees who have been crew leaders, regional crew
9 leaders or a combination thereof for at least ~~2 years~~ 6 months.

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

12 106.215 (10) (g) 3. The education voucher is valid for ~~3~~ 4 years after the date
13 of issuance for the payment of tuition and required program activity fees at any
14 institution of higher education, as defined ~~under s. 39.32 (1) (a), which in 20 USC~~
15 1002, that accepts the voucher, and the board shall authorize payment to the
16 institution of face value of the voucher upon presentment.

17 *~~0015/1.1~~* **SECTION 2605.** 110.20 (6) (a) 1. of the statutes is amended to read:

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

23 *~~0015/1.2~~* **SECTION 2606.** 110.20 (9) (d) of the statutes is amended to read:

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

1 ***-2338/1.1*** SECTION 2610. 111.70 (4) (jm) 4. k. of the statutes is created to read:

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

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

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

14 ***-1694/11.12*** SECTION 2622. 115.28 (27) of the statutes is repealed.

15 ***-1694/11.13*** SECTION 2625. 115.28 (42) of the statutes is created to read:

16 115.28 (42) WISCONSIN GEOGRAPHIC EDUCATION PROGRAM. Enter into an
17 agreement with the National Geographic Society Education Foundation to establish
18 a geographical education program in this state. The agreement shall require each
19 of the following:

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

24 (b) That, from the trust fund established under par. (a) and any income thereon,
25 the National Geographic Society Education Foundation shall award grants and

1 support programs for improving geographical education in this state, with an
2 emphasis on improving student use of geographic information systems technology.

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

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

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

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

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

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

3 115.38 (2) Upon request, each school board shall produce a copy of the most
4 recent school and school district performance report to each parent or guardian of a
5 pupil enrolled in the school district or enrolled in a charter school located in the
6 school district, and, if the school district maintains an Internet site, shall make the
7 report available to the public at that site.

8 ***-1151/4.5* SECTION 2649.** 115.42 (1) (a) 3. of the statutes is repealed.

9 ***-1151/4.6* SECTION 2650.** 115.42 (1) (b) of the statutes is amended to read:

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

17 ***-1151/4.7* SECTION 2651.** 115.42 (2) (intro.) of the statutes is renumbered
18 115.42 (2) (a) (intro.) and amended to read:

19 115.42 (2) (a) (intro.) The department shall award ~~a~~ 9 grants of \$2,500 grant
20 each to each person who received a grant under sub. (1) ~~in each of the 9 school years~~
21 ~~following the school year in which he or she received the grant~~ if the person satisfies
22 all of the following requirements:

23 ***-1151/4.8* SECTION 2652.** 115.42 (2) (a) and (b) of the statutes are renumbered
24 115.42 (2) (a) 1. and 2.

25 ***-1151/4.9* SECTION 2653.** 115.42 (2) (bL) of the statutes is created to read:

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

5 *~~1151/4.10~~* **SECTION 2654.** 115.42 (2) (c) of the statutes is repealed.

6 *~~1151/4.11~~* **SECTION 2655.** 115.42 (2) (d) of the statutes is renumbered 115.42
7 (2) (a) 4.

8 *~~0886/3.8~~* **SECTION 2667.** 115.88 (2) of the statutes is amended to read:

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

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

24 115.88 (8m) SUPPLEMENTAL AID. (a) In this subsection, “additional costs” means
25 the costs of nursing services and assistive technology.

1 (b) If an operator of a charter school established under s. 118.40 (2r), a school
2 district, a county, or a cooperative educational service agency incurs special
3 education costs for a pupil that equal or exceed an amount equal to 3 times the cost
4 of the state average cost per pupil in the previous school year, as determined by the
5 department by rule, the department shall, beginning in the 2002–03 school year,
6 reimburse the operator, school district, county, or cooperative educational service
7 agency from the appropriation under s. 20.255 (2) (b) an amount calculated as
8 follows:

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

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

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

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

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

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

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

23 **115.882 Payment of state aid.** Funds appropriated under s. 20.255 (2) (b)
24 shall be used first for the purpose purposes of s. 115.88 (4) and (8m). Costs eligible
25 for reimbursement from the appropriations under s. 20.255 (2) (b) and (br) under ss.

1 115.88 (1m) to (3), (6) and (8), 115.93 and 118.255 (4) shall be reimbursed at a rate
2 set to distribute the full amount appropriated for reimbursement for such costs, not
3 to exceed 100%.

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

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

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

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

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

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

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

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

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

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

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

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

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

15 *~~-2358/4.23~~* *~~-0888/1.2~~* **SECTION 2702.** 118.30 (1m) (am) of the statutes is
16 amended to read:

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

24 2. Beginning on July 1, 2002, if the school board has developed or adopted its
25 own 8th grade examination, administer that examination to all pupils enrolled in the

1 school district, including pupils enrolled in charter schools located in the school
2 district, in the 8th grade. ~~The school board shall provide a pupil with at least 2~~
3 ~~opportunities to take the examination administered under this subdivision.~~

4 ***-2358/4.25* *-0888/1.3* SECTION 2704.** 118.30 (1r) (a) of the statutes is
5 amended to read:

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

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

17 ***-2358/4.27* *-0888/1.4* SECTION 2706.** 118.30 (1r) (am) of the statutes is
18 amended to read:

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

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

6 *~~0956/6.3~~* SECTION 2729. 118.43 (2) (f) of the statutes is repealed.

7 *~~0956/6.4~~* SECTION 2730. 118.43 (2) (g) of the statutes is created to read:

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

14 *~~0956/6.8~~* SECTION 2734. 118.43 (6) (b) 7. of the statutes is amended to read:

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

23 *~~0956/6.9~~* SECTION 2735. 118.43 (6) (b) 8. of the statutes is amended to read:

24 118.43 (6) (b) 8. In the 2003–04 and 2004–05 school years, \$2,000 multiplied
25 by the number of low–income pupils enrolled in grades eligible for funding in each

1 school in the school district covered by contracts under sub. (3) (ar) and by renewals
2 of contracts under sub. (2) (g).

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

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

15 ***-0947/1.2* SECTION 2739.** 118.51 (4) (a) 3. of the statutes is amended to read:

16 118.51 (4) (a) 3. A statement of the preference required under sub. ~~(5)~~(e) (3) (a)
17 2.

18 ***-0947/1.3* SECTION 2740.** 118.51 (5) (a) (intro.) of the statutes is amended to
19 read:

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

23 ***-0947/1.4* SECTION 2741.** 118.51 (5) (a) 1. of the statutes is amended to read:

24 118.51 (5) (a) 1. The availability of space in the schools, programs, classes, or
25 grades within the nonresident school district, including any. In determining the

1 availability of space, the nonresident school board may consider criteria such as class
2 size limits, pupil–teacher ratios, pupils attending the school district for whom tuition
3 is paid under s. 121.78 (1) (a) or enrollment projections established by the
4 nonresident school board and may include in its count of occupied spaces pupils
5 attending the school district for whom tuition is paid under s. 121.78 (1) (a) and
6 pupils and siblings of pupils who have applied under sub. (3) (a) and are already
7 attending public school in the nonresident school district.

8 *–0947/1.5* SECTION 2742. 118.51 (5) (c) of the statutes is repealed.

9 *–0892/1.3* SECTION 2744. 118.52 (11) (b) of the statutes is amended to read:

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

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

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

25 *–1598/1.7* SECTION 2756. 119.48 (4) (c) of the statutes is amended to read:

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

15 *~~1598/1.8~~* **SECTION 2757.** 119.49 (1) (b) of the statutes is amended to read:
16 119.49 (1) (b) The communication shall state the amount of funds needed under
17 par. (a) and the purposes for which the funds will be used and shall request the
18 common council to submit to the voters of the city ~~at the next election held in the city~~
19 the question of issuing school bonds in the amount and for the purposes stated in the
20 communication.

21 *~~1598/1.9~~* **SECTION 2758.** 119.49 (2) of the statutes is amended to read:
22 119.49 (2) Upon receipt of the communication, the common council shall file
23 the communication as provided in s. 8.37 and shall cause the question of issuing such
24 school bonds in the stated amount and for the stated school purposes to be submitted
25 to the voters of the city ~~at the next election held in the city~~ regularly scheduled spring

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

10 ***-1396/1.1*** SECTION 2761. 121.004 (6) of the statutes is amended to read:

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

16 ***-0886/3.9*** SECTION 2762. 121.007 of the statutes is amended to read:

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

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

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

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

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

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

11 121.07 (7) (b) The “secondary guaranteed valuation per member” is an amount,
12 rounded to the next lower dollar, that, after subtraction of payments under ss. 121.09
13 and 121.85 (6) (b) 2. and 3. and (c), fully distributes an amount equal to the amount
14 remaining in the appropriation under s. 20.255 (2) (ac) plus ~~\$75,000,000 in the~~
15 ~~1997–98 school year and \$100,000,000 in the 1998–99~~ \$115,000,000 in the 2002–03
16 school year for payments under ss. 121.08, 121.105, 121.85 (6) (a) and (g) and 121.86.

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

18 **121.085 Interest on delayed payment.** Beginning in 2003, annually on the
19 3rd Monday in June, from the appropriation under s. 20.255 (2) (am), the department
20 shall pay to each school district an amount equal to the interest that the school
21 district would have earned on its portion of the delayed school aid payment under s.
22 121.15 (1m) (a) 4. if the school aid payment had been made on the 3rd Monday in June
23 instead of on the 4th Monday in July. Interest shall be calculated using the
24 annualized rate of return on investments in the state investment fund for April.

25 ***-0886/3.10* SECTION 2768.** 121.09 (1) of the statutes is amended to read:

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

19 *~~1395/3.1~~* **SECTION 2769.** 121.105 (2) (a) 1. of the statutes is renumbered
20 121.105 (2) (am) and amended to read:

21 121.105 (2) (am) If a school district would receive less in state aid in the current
22 year before any adjustment is made under s. 121.15 (4) (b) than an amount equal to
23 85% of the sum of the state aid that it received in the previous school year and the
24 adjustment, if any, made under s. 121.15 (4) (b) in the current school year, its state

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 21.79 (1) (d) (intro.) For pupils in foster homes, treatment foster homes, or
2 group homes, if the foster home, treatment foster home, or group home is located
3 outside the school district in which the pupil's parent or guardian resides and either
4 of the following applies:

5 ***-0940/4.2*** SECTION 2781. 21.79 (1) (d) 1. of the statutes is repealed.

6 ***-0940/4.3*** SECTION 2782. 21.79 (1) (d) 3. of the statutes is created to read:

7 21.79 (1) (d) 3. The pupil is a child with a disability, as defined in s. 115.76 (5),
8 and at least 4% of the pupils enrolled in the school district reside in foster homes,
9 treatment foster homes, or group homes that are not exempt under s. 70.11.
10 Notwithstanding s. 121.83 (1) (d), the annual tuition rate for pupils under this
11 subdivision is the special annual tuition rate only, as described in s. 121.83 (1) (c).

12 ***-0886/3.17*** SECTION 2783. 121.85 (6) (e) of the statutes is amended to read:

13 121.85 (6) (e) *Sources of aid payments.* State aid under this section shall be
14 paid from the appropriations appropriation under s. 20.255 (2) (ac) and (q).

15 ***-0886/3.18*** SECTION 2784. 121.85 (8) of the statutes is amended to read:

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

23 ***-0886/3.19*** SECTION 2785. 121.85 (9) (c) of the statutes is amended to read:

24 121.85 (9) (c) The obligation under par. (a) to organize planning councils shall
25 apply only with regard to school terms for which full pupil transfer aids are

1 appropriated under s. 20.255 (2) (ac) ~~and (q)~~ and planning council assistance funds
2 are appropriated under s. 20.255 (1) (a).

3 ***-0935/4.1* SECTION 2789.** 121.905 (1) of the statutes is amended to read:

4 121.905 (1) In this section, “revenue ceiling” means ~~\$6,300~~ \$6,700 in the
5 ~~1999–2000~~ 2001–02 school year and in any subsequent school year means ~~\$6,500~~
6 \$6,900.

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

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

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

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

24 ***-1598/1.10* SECTION 2796.** 121.91 (3) (a) of the statutes is amended to read:

1 121.91 (3) (a) If a school board wishes to exceed the limit under sub. (2m)
2 otherwise applicable to the school district in any school year, it shall promptly adopt
3 a resolution supporting inclusion in the final school district budget of an amount
4 equal to the proposed excess revenue. The resolution shall specify whether the
5 proposed excess revenue is for a recurring or nonrecurring purpose, or, if the
6 proposed excess revenue is for both recurring and nonrecurring purposes, the
7 amount of the proposed excess revenue for each purpose. The resolution shall be filed
8 as provided in s. 8.37. Within 10 days after adopting the resolution, the school board
9 shall notify the department of the scheduled date of the referendum and submit a
10 copy of the resolution to the department. The school board shall call a special
11 referendum for the purpose of submitting the resolution to the electors of the school
12 district for approval or rejection. ~~In lieu of a special referendum, the school board~~
13 ~~may specify that the referendum be held at the next succeeding spring primary or~~
14 ~~election or September primary or general election, if such election is to be held not~~
15 ~~sooner than 42 days after the filing of the resolution of the school board, or at a special~~
16 ~~election held on the Tuesday after the first Monday in November in an~~
17 ~~odd-numbered year if that date occurs not earlier than 42 days after the filing of the~~
18 ~~resolution of the school board.~~ The school district clerk shall certify the results of the
19 referendum to the department within 10 days after the referendum is held.

20 *~~1513/2.1~~* SECTION 2797. 121.91 (4) (dg) of the statutes is created to read:

21 121.91 (4) (dg) Notwithstanding par. (d), if a school district's revenue in the
22 preceding school year was less than the limit under sub. (2m) in the preceding school
23 year, the school district received an increase in aid under s. 121.15 (4) (b) in the
24 current school year, and the increase in aid was less than the amount determined

1 under subd. 2., the limit otherwise applicable to the school district's revenue in the
2 current school year under sub. (2m) is increased by an amount determined as follows:

3 1. Determine the increase in aid under s. 121.15 (4) (b).

4 2. Subtract the school district's revenue in the preceding school year from the
5 school district's limit under sub. (2m) in the preceding school year.

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

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

9 ***-1513/2.2* SECTION 2798.** 121.91 (4) (dr) of the statutes is created to read:

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

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

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

22 ***-0890/1.1* SECTION 2799.** 121.92 (2) (c) of the statutes is amended to read:

23 121.92 (2) (c) If the amount of the deductions under pars. (a) and (b) is
24 insufficient to cover the excess revenue, order the school board to reduce the property
25 tax obligations of its taxpayers by an amount that represents the remainder of the

1 excess revenue. The school district's refunds to taxpayers who have already paid
2 their taxes shall be increased by interest at the rate of 0.5% per month. If the school
3 board violates the order, any resident of the school district may seek injunctive relief.
4 This paragraph does not apply to property taxes levied for the purpose of paying the
5 principal and interest on valid bonds or notes issued by the school board.

6 *~~2318/3.1~~* SECTION 2800. 125.04 (12) (c) of the statutes is created to read:

7 125.04 (12) (c) *Retail license or permit for the same premises.* No municipality
8 may issue a Class "A," "Class A," Class "B," "Class B," or "Class C" license, and the
9 department may not issue a Class "B" or "Class B" permit, to an applicant if the
10 premises described in the application for a license or permit is already covered by a
11 current license or permit of the same kind unless all of the following apply:

12 1. 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 current
14 licensee or permittee for the premises has provided to the applicant the name and
15 address of each fermented malt beverages wholesaler to whom the current licensee
16 or permittee is indebted.

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

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

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

3 ***-2318/3.2*** SECTION 2802. 125.06 (8) of the statutes is amended to read:

4 125.06 (8) SALE BY SECURED PARTY. The sale of alcohol beverages by a secured
5 party in good faith under the terms of a security agreement, if the sale is not for the
6 purpose of avoiding this chapter or ch. 139. The sale must be in the ordinary course
7 of the business of lending money secured by a security interest in alcohol beverages
8 or warehouse receipts or other evidence of ownership. A sale of fermented malt
9 beverages must be made within 15 days after the secured party takes possession of
10 the fermented malt beverages unless the secured party demonstrates good cause
11 why a sale in compliance with s. 409.504 or the security agreement cannot be made
12 within this time period.

13 ***-2318/3.3*** SECTION 2803. 125.145 of the statutes is amended to read:

14 **125.145 Prosecutions by attorney general.** Upon request by the secretary
15 of revenue, the attorney general may represent this state or assist a district attorney
16 in prosecuting any case arising under this chapter. Notwithstanding s. 971.19 (6),
17 upon request by the secretary of revenue, the attorney general may commence any
18 action to enforce s. 125.30 (1) in the circuit court for Dane County.

19 ***-2318/3.4*** SECTION 2804. 125.17 (6) (a) (intro.) of the statutes is amended to
20 read:

21 125.17 (6) (a) (intro.) Except as provided in par. (b), no municipal governing
22 body may issue an operator's license unless the applicant has successfully completed
23 a responsible beverage server training course at any location that is offered by a
24 technical college district and that conforms to curriculum guidelines specified by the
25 technical college system board or a comparable training course, which may include

1 computer-based training and testing, that is approved by the department or the
2 educational approval board, or unless the applicant fulfills one of the following
3 requirements:

4 ***-2318/3.5* SECTION 2805.** 125.30 (6) of the statutes is created to read:

5 125.30 (6) Notwithstanding s. 125.11, the department shall issue a written
6 warning to any person located outside this state who sells or ships fermented malt
7 beverages into this state in violation of sub. (1) if the person has not previously
8 received a warning under this section. Any person located outside this state who
9 sells or ships fermented malt beverages into this state in violation of sub. (1) and who
10 has been previously issued a written warning under this subsection shall be fined not
11 more than \$10,000 or imprisoned for not more than 2 years or both.

12 ***-2318/3.6* SECTION 2806.** 125.33 (2) (a) of the statutes is amended to read:

13 125.33 (2) (a) Give to any campus or Class “B” licensee or permittee, at any
14 given time, for placement inside the premises, signs, clocks, or menu boards with an
15 aggregate value of not more than ~~\$150~~ \$2,500. If a gift of any item would cause the
16 ~~\$150~~ \$2,500 limit to be exceeded, the recipient shall pay the brewer or wholesaler the
17 amount of the item’s value in excess of ~~\$150~~ \$2,500. Each recipient shall keep an
18 invoice or credit memo containing the name of the donor and the number and value
19 of items received under this paragraph. The value of an item is its cost to the donor.
20 Each recipient shall make the records kept under this paragraph available to the
21 department for inspection upon request.

22 ***-2318/3.7* SECTION 2807.** 125.33 (2) (b) 2. of the statutes is amended to read:

23 125.33 (2) (b) 2. Signs made from paper ~~or~~, cardboard, plastic, vinyl, or other
24 like material for placement inside the premises, not withstanding the aggregate
25 value limitation of par. (a).

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

3 ***-2318/3.9*** SECTION 2809. 125.33 (2) (L) 2. of the statutes is created to read:

4 125.33 (2) (L) 2. Purchase advertising from a person who does not hold a license
5 under this chapter and who conducts national or regional sweepstakes, contests, or
6 promotions on the premises of Class “B” licensees or permittees that sell the brewer’s
7 or wholesaler’s products. The person may promote an event or activity in connection
8 with a sweepstakes, contest, or promotion, including promoting the location of the
9 event or activity, if the Class “B” licensee or permittee on whose premises the event
10 or activity will occur does not receive money for hosting the event or activity and,
11 except as provided in subd. 4., if the advertising for the event or activity identifies
12 at least 4 unaffiliated Class “B” licensees or permittees.

13 ***-2318/3.10*** SECTION 2810. 125.33 (2) (L) 3. of the statutes is created to read:

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

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

23 125.33 (2) (L) 4. A brewer that manufactures less than 30,000 barrels of
24 fermented malt beverages annually may purchase advertising under subd. 2, and

1 may promote sweepstakes, contests, or promotions through advertising under subd.
2 3., if the advertising identifies at least one Class “B” licensee or permittee.

3 *~~2318/3.11~~* SECTION 2811. 125.33 (2) (n) 2. of the statutes is amended to read:

4 125.33 (2) (n) 2. Notwithstanding subd. 1., no brewer or wholesaler may
5 provide business entertainment to a Class “B” licensee or permittee under subd. 1.
6 in one day that has a value exceeding ~~\$75~~ \$500, and no brewer or wholesaler may
7 provide business entertainment to a Class “B” licensee or permittee under subd. 1.
8 on more than 8 days in any calendar year.

9 *~~2318/3.12~~* SECTION 2812. 125.33 (2s) of the statutes is amended to read:

10 125.33 (2s) EXCEPTION FOR RETAIL TRADE ASSOCIATION CONTRIBUTIONS.
11 Notwithstanding the prohibitions in sub. (1), a brewer ~~that produces 350,000 or more~~
12 ~~barrels of fermented malt beverages annually~~ or wholesaler may contribute money
13 or other things of value to a bona fide national ~~or statewide~~, or local trade association
14 which derives its principle income from membership dues of Class “B” licensees.

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

16 125.33 (7m) CONDITIONAL PURCHASES. No Class “A” or Class “B” licensee may
17 condition the purchase of fermented malt beverages from a brewer or wholesaler
18 upon the furnishing by the brewer or wholesaler of any thing of value, other than the
19 products purchased, to the licensee or to any person for the use, benefit, or relief of
20 the licensee.

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

22 **125.35 Fermented malt beverage dealerships. (1) DEFINITIONS.** In this
23 section, unless otherwise qualified:

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

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

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

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

3 **(2) COMPENSATION OF PRIOR DEALER.** Notwithstanding s. 135.03, and except as
4 provided in sub. (3), any person who assumes, in whole or in part, a dealership
5 described in s. 135.02 (3) (c) following the grantor’s termination, cancellation, or
6 nonrenewal in whole or in part of a prior dealership agreement shall compensate the
7 prior dealer for the fair market value of that portion of the dealership assumed unless
8 the grantor terminated, canceled, or failed to renew for any of the following reasons:

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

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

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

16 **(3) TERMINATION BY PRIOR DEALER.** A prior dealer is not entitled to compensation
17 under sub. (2) if, before any termination, cancellation, or nonrenewal by the grantor
18 or assumption by another dealer of any dealership specified in sub. (2), the prior
19 dealer terminated business relations with the grantor by means of any of the
20 following:

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

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

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

1 (4) BINDING ARBITRATION. The grantor shall advise the person assuming the
2 dealership of the person's obligations under sub. (2) prior to the person's assumption
3 of the dealership. If the person assuming a dealership under sub. (2) and the prior
4 dealer agree in writing to the fair market value of that portion of the dealership
5 assumed, the person assuming the dealership shall pay the agreed upon sum to the
6 prior dealer within 30 days of the date on which the parties reached the agreement.
7 If no written agreement for compensation of the prior dealer is reached within 30
8 days after the grantor's termination, cancellation, or nonrenewal of the prior
9 dealership agreement, the prior dealer may submit the dispute for binding
10 arbitration, subject to ch. 788, through a nationally recognized arbitration
11 association. Unless the parties agree otherwise, the arbitration shall be conducted
12 on an expedited basis to the extent an expedited proceeding is reasonably available
13 through the arbitration association, and each party shall pay an equal share of the
14 cost of the arbitration.

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

17 134.66 (3) (title) DEFENSES.

18 ***b0427/2.1* SECTION 2814i.** 134.66 (3) (intro.) of the statutes is renumbered
19 134.66 (3) (a) (intro.).

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

21 134.66 (3) (br) Proof by a retailer that the act for which the retailer is being
22 prosecuted under sub. (2) (a) was committed by his or her agent or employee and that
23 the retailer provided training on the prohibitions under sub. (2) (a) to that agent or
24 employee is a defense to any prosecution for a violation of sub. (2) (a). The defense
25 is not available to a retailer who knowingly permits his or her agent or employee to

1 sell or provide for nominal or no consideration cigarettes or tobacco products to
2 individuals under the age of 18.

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

4 135.02 (3) (c) A contract or agreement, either expressed or implied, whether
5 oral or written, between 2 or more persons by which a wholesaler, as defined in s.
6 125.02 (21), is granted the right to sell or distribute fermented malt beverages or use
7 a trade name, trademark, service mark, logotype, brand, advertising, or other
8 commercial symbol related to fermented malt beverages.

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

10 137.01 (1) (a) The governor shall appoint notaries public who shall be
11 ~~Wisconsin~~ United States residents and at least 18 years of age. Applicants who are
12 not attorneys shall file an application with the secretary of state and pay a \$20 fee.

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

14 137.01 (1) (d) Qualified applicants shall be notified by the secretary of state to
15 take and file the official oath and execute and file an official bond in the sum of \$500,
16 with a surety ~~to be approved by the clerk of the circuit court for his or her county, or,~~
17 if executed by a surety company, and approved by the secretary of state.

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

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

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

2 137.01 (2) (am) If a United States resident has his or her license to practice law
3 in this state suspended or revoked, upon reinstatement of his or her license to
4 practice law in this state, the person may be entitled to receive a certificate of
5 appointment as a notary public for a term of 4 years. An eligible notary appointed
6 under this paragraph is entitled to reappointment for 4-year increments. At least
7 30 days before the expiration of a commission under this paragraph the secretary of
8 state shall mail notice of the expiration date to the holder of the commission.

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

10 137.01 (2) (b) The secretary of state shall issue a certificate of appointment as
11 a notary public to persons who qualify under the requirements of this subsection.
12 ~~Such~~ The certificate shall state that the notary commission is permanent or is for 4
13 years.

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

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

16 137.01 (6m) CHANGE OF RESIDENCE. A notary public ~~shall~~ does not vacate his
17 or her office by reason of his or her change of residence within the state United States.
18 Written notice of any change of address shall be given to the secretary of state within
19 5 10 days of ~~such~~ the change.

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

21 137.01 (7) OFFICIAL RECORDS TO BE FILED. When any notary public ceases to hold
22 office the notary public, or in case of the notary public's death the notary public's
23 executor or administrator, shall deposit the notary public's official records and
24 papers in the office of the clerk of the circuit court of the county of the notary public's
25 residence secretary of state. If any such notary or any executor or administrator,

1 after such records and papers come to his or her hands, neglects for 3 months to
2 deposit them, he or she shall forfeit not less than \$50 nor more than \$500. If any
3 person knowingly destroys, defaces or conceals any records or papers of any notary
4 public, the person shall forfeit not less than \$50 nor more than \$500, and shall be
5 liable to the party injured for all damages thereby sustained. The clerks of the circuit
6 courts secretary of state shall receive and safely keep all such papers and records in
7 their office.

8 *~~1841/1.1~~* SECTION 2842. 139.30 (7) of the statutes is amended to read:

9 139.30 (7) “Manufacturer” means any person who manufactures cigarettes for
10 the purpose of sale, including the authorized agent of a person who manufactures
11 cigarettes for the purpose of sale.

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

13 139.31 (1) (a) On cigarettes weighing not more than 3 pounds per thousand,
14 ~~29.5~~ 34 mills on each cigarette.

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

16 139.31 (1) (b) On cigarettes weighing more than 3 pounds per thousand, ~~59~~ 68
17 mills on each cigarette.

18 *~~1841/1.2~~* SECTION 2843. 139.31 (4) of the statutes is created to read:

19 139.31 (4) No person may sell or distribute in this state, acquire, store, possess,
20 or transport for sale or distribution in this state, import or cause to be imported into
21 this state for sale or distribution in this state, or affix stamps as described under s.
22 139.32 to, any of the following:

23 (a) A cigarette package on which a statement, label, stamp, sticker, or notice
24 indicates that the manufacturer did not intend the cigarettes in the package to be

1 sold, distributed, or used in the United States, including labels stating “for export
2 only,” “U.S. tax exempt,” “for use outside U.S.,” or similar wording.

3 (b) A cigarette package that does not comply with 15 USC 1333 and 15 USC
4 1335 or other federal law.

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

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

8 ***-1841/1.3* SECTION 2844.** 139.31 (5) of the statutes is created to read:

9 139.31 (5) (a) No person may alter a cigarette package before the sale or
10 distribution to the ultimate consumer so as to remove, conceal, or obscure any of the
11 following:

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

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

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

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

18 139.31 (6) Subsections (4) and (5) do not apply to cigarettes that may be brought
19 into the United States for personal use and cigarettes that are sold or intended for
20 sale by a duty-free enterprise, as provided under 19 USC 1555, not including
21 cigarettes that are brought into a customs territory, as defined under 19 USC 1555
22 (2) (b) (C), for resale within the customs territory.

23 ***-1841/1.5* SECTION 2846.** 139.34 (3) of the statutes is created to read:

24 139.34 (3) No distributor may affix stamps to cigarette packages, as provided
25 in s. 139.32, unless the distributor certifies to the department, in a manner

1 prescribed by the department, that the distributor purchases cigarettes directly from
2 a manufacturer.

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

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

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

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

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

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

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

2 139.78 (1) A tax is imposed upon the use or storage by consumers of tobacco
3 products in this state at the rate of ~~20%~~ 30% of the cost of the tobacco products. The
4 tax does not apply if the tax imposed by s. 139.76 (1) on the tobacco products has been
5 paid or if the tobacco products are exempt from the tobacco products tax under s.
6 139.76 (2).

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

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

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

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

24 ***-0299/2.1* SECTION 2850.** 146.55 (2m) (a) of the statutes is repealed and
25 recreated to read:

1 146.55 (2m) (a) The department shall contract with a physician to direct the
2 state emergency medical services program. The department may expend from the
3 funding under the federal preventive health services project grant program under
4 42 USC 2476 under the appropriation under s. 20.435 (1) (mc), \$25,000 in each fiscal
5 year for this purpose.

6 ***b0608/1.2* SECTION 2850b.** 146.65 of the statutes is created to read:

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

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

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

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

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

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

1 149.14 (3) (nm) Hospice care provided by a hospice licensed under subch. IV
2 of ch. 50.

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

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

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

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

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

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

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

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

1 coinsurance paid by an eligible person under this paragraph shall are separate from
2 and do not count toward the deductible and covered costs not paid by the plan under
3 pars. (a) to (c).

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

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

7 149.14 (6) (b) An eligible individual who obtains coverage under the plan ~~on~~
8 ~~or after June 17, 1998,~~ may not be subject to any preexisting condition exclusion
9 under the plan. ~~An eligible individual who is covered under the plan on June 17,~~
10 ~~1998, may not be subject to any preexisting condition exclusion on or after June 17,~~
11 ~~1998.~~

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

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

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

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

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

24 149.143 (1) (b) 1. d. Fourth, notwithstanding subd. 2., by increasing insurer
25 assessments, excluding assessments under s. 149.144, and adjusting provider