

1 *–1264/2.13* **SECTION 1881.** 106.17 (2) of the statutes is amended to read:

2 106.17 (2) The collection and distribution of local labor market information
3 under sub. (1) shall be funded only from the appropriations under s. 20.445 (1) (m),
4 (ma) and (n).

5 *–1688/2.6* **SECTION 1882.** 106.21 (title) of the statutes is repealed.

6 *–1688/2.7* **SECTION 1883.** 106.21 (1) of the statutes is repealed.

7 *–1688/2.8* **SECTION 1884.** 106.21 (2) of the statutes is repealed.

8 *–1688/2.9* **SECTION 1885.** 106.21 (3) of the statutes is repealed.

9 *–1688/2.10* **SECTION 1886.** 106.21 (4) of the statutes is repealed.

10 *–1688/2.11* **SECTION 1887.** 106.21 (5) of the statutes is repealed.

11 *–1688/2.12* **SECTION 1888.** 106.21 (6) of the statutes is repealed.

12 *–1688/2.13* **SECTION 1889.** 106.21 (7) of the statutes is repealed.

13 *–1688/2.14* **SECTION 1890.** 106.21 (8) of the statutes is repealed.

14 *–1688/2.15* **SECTION 1891.** 106.21 (9) (a) of the statutes is repealed.

15 *–1688/2.16* **SECTION 1892.** 106.21 (9) (b) of the statutes is repealed.

16 *–1688/2.17* **SECTION 1893.** 106.21 (9) (c) of the statutes is repealed.

17 *–1688/2.18* **SECTION 1894.** 106.21 (9) (e) of the statutes is repealed.

18 *–1688/2.19* **SECTION 1895.** 106.21 (9) (f) of the statutes is repealed.

19 *–1688/2.20* **SECTION 1896.** 106.21 (9) (g) 1. of the statutes is repealed.

20 *–1688/2.21* **SECTION 1897.** 106.21 (9) (g) 2. of the statutes is renumbered
21 106.213 and amended to read:

22 **106.213 Wisconsin service corps education vouchers.** The An education
23 voucher under s. 106.21 (9) (g) 1., 2001 stats., is valid for 3 years after the date of
24 issuance for the payment of tuition and required program activity fees at any
25 institution of higher education, as defined under s. 39.32 (1) (a), that accepts the

1 voucher and the department shall authorize payment to the institution of face value
2 of the voucher upon presentment.

3 *–1688/2.22* SECTION 1898. 106.21 (10) of the statutes is repealed.

4 *–1688/2.23* SECTION 1899. 106.21 (11) of the statutes is repealed.

5 *–1688/2.24* SECTION 1900. 106.21 (12) of the statutes is repealed.

6 *–1688/2.25* SECTION 1901. 106.21 (13) of the statutes is repealed.

7 *–1688/2.26* SECTION 1902. 106.213 of the statutes, as created by 2003
8 Wisconsin Act (this act), is repealed.

9 *b0166/1.5* SECTION 1903d. 106.215 (title) of the statutes is repealed.

10 *–1712/5.32* SECTION 1904. 106.215 (1) (intro.) of the statutes is repealed.

11 *–1712/5.33* SECTION 1905. 106.215 (1) (a) of the statutes is repealed.

12 *–1712/5.34* SECTION 1906. 106.215 (1) (b) of the statutes is repealed.

13 *–1712/5.35* SECTION 1907. 106.215 (1) (c) of the statutes is repealed.

14 *–1712/5.36* SECTION 1908. 106.215 (1) (cg) of the statutes is repealed.

15 *–1712/5.37* SECTION 1909. 106.215 (1) (cm) of the statutes is repealed.

16 *–1712/5.38* SECTION 1910. 106.215 (1) (d) of the statutes is repealed.

17 *–1712/5.39* SECTION 1911. 106.215 (1) (e) of the statutes is repealed.

18 *–1712/5.40* SECTION 1912. 106.215 (1) (f) of the statutes is repealed.

19 *–1712/5.41* SECTION 1913. 106.215 (1) (fm) of the statutes is renumbered
20 977.01 (2) and amended to read:

21 977.01 (2) “Public assistance” means relief provided by counties under s. 59.53
22 (21), Wisconsin works under ss. 49.141 to 49.161, ~~aid to families with dependent~~
23 ~~children under s. 49.19~~, medical assistance under subch. IV of ch. 49, low-income
24 energy assistance under s. 16.385, weatherization assistance under s. 16.39, and the
25 food stamp program under 7 USC 2011 to 2029.

- 1 *–1712/5.42* SECTION 1914. 106.215 (1) (g) of the statutes is repealed.
- 2 *–b0166/1.6* SECTION 1915d. 106.215 (2) of the statutes is repealed.
- 3 *–1712/5.45* SECTION 1917. 106.215 (3) of the statutes is repealed.
- 4 *–1712/5.46* SECTION 1918. 106.215 (3m) of the statutes is repealed.
- 5 *–1712/5.47* SECTION 1919. 106.215 (4) of the statutes is repealed.
- 6 *–1712/5.48* SECTION 1920. 106.215 (5) of the statutes is repealed.
- 7 *–1712/5.49* SECTION 1921. 106.215 (6) of the statutes is repealed.
- 8 *–b0166/1.7* SECTION 1922d. 106.215 (7) of the statutes is repealed.
- 9 *–1712/5.55* SECTION 1927. 106.215 (8) of the statutes is repealed.
- 10 *–1712/5.56* SECTION 1928. 106.215 (8g) of the statutes is repealed.
- 11 *–1712/5.57* SECTION 1929. 106.215 (8m) of the statutes is repealed.
- 12 *–1712/5.58* SECTION 1930. 106.215 (9) of the statutes is repealed.
- 13 *–1712/5.59* SECTION 1931. 106.215 (10) (title) of the statutes is repealed.
- 14 *–1712/5.60* SECTION 1932. 106.215 (10) (a) of the statutes is repealed.
- 15 *–1712/5.61* SECTION 1933. 106.215 (10) (b) of the statutes is repealed.
- 16 *–1712/5.62* SECTION 1934. 106.215 (10) (c) of the statutes is repealed.
- 17 *–1712/5.63* SECTION 1935. 106.215 (10) (e) of the statutes is repealed.
- 18 *–1712/5.64* SECTION 1936. 106.215 (10) (f) of the statutes is repealed.
- 19 *–1712/5.65* SECTION 1937. 106.215 (10) (fm) of the statutes is repealed.
- 20 *–1712/5.66* SECTION 1938. 106.215 (10) (g) (title) and 1. of the statutes are
- 21 repealed.
- 22 *–1712/5.67* SECTION 1939. 106.215 (10) (g) 1m. of the statutes is repealed.
- 23 *–1712/5.68* SECTION 1940. 106.215 (10) (g) 2. of the statutes is repealed.
- 24 *–1712/5.69* SECTION 1941. 106.215 (10) (g) 2m. of the statutes is repealed.

1 *–1712/5.70* SECTION 1942. 106.215 (10) (g) 3. of the statutes is renumbered
2 106.217 and amended to read:

3 **106.217 Wisconsin conservation corps education vouchers.** The An
4 education voucher under s. 106.215 (10) (g) 1m. or 2m., 2001 stats., is valid for 4 years
5 after the date of issuance for the payment of tuition and required program activity
6 fees at any institution of higher education, as defined in 20 USC 1002, that accepts
7 the voucher. The ~~board~~ department shall authorize payment to the institution of face
8 value of the voucher upon presentment.

9 *–1712/5.71* SECTION 1943. 106.215 (10) (g) 4. of the statutes is repealed.

10 *–1712/5.72* SECTION 1944. 106.215 (10) (h) of the statutes is repealed.

11 *–1712/5.73* SECTION 1945. 106.215 (11) of the statutes is repealed.

12 *–1712/5.74* SECTION 1946. 106.215 (12) of the statutes is repealed.

13 *–1712/5.75* SECTION 1947. 106.215 (13) of the statutes is repealed.

14 *–1712/5.76* SECTION 1948. 106.217 of the statutes, as affected by 2003
15 Wisconsin Act (this act), is repealed.

16 *–0231/1.1* SECTION 1949. 106.26 (4) of the statutes is repealed.

17 *–1731/1.3* SECTION 1952. 107.30 (10) of the statutes is amended to read:

18 107.30 (10) “Mining damage appropriation” means the appropriation under s.
19 ~~20.445 (4) (b)~~ 20.143 (3) (a).

20 *–1731/1.2* SECTION 1953. 107.31 (5) (a) (intro.) of the statutes is amended to
21 read:

22 107.31 (5) (a) *Calculation.* (intro.) The mining damage reserve accumulation
23 is calculated by subtracting the total amount of all mining damages awards paid
24 from the appropriation under s. 20.445 (4) (a), 2001 stats., beginning on May 22, 1980
25 or paid from the appropriation under s. 20.143 (3) (a) from the sum of:

1 ***-0529/4.177*** SECTION 1954. 108.15 (6) (c) of the statutes is amended to read:

2 108.15 (6) (c) If such delinquency is finally established under s. 108.10, the
3 fund's treasurer shall, in case such unit receives a share of any state tax or any type
4 of state aid, certify to the ~~state treasurer~~ secretary of administration the existence
5 and amount of such delinquency.

6 ***-0529/4.178*** SECTION 1955. 108.15 (6) (d) (intro.) of the statutes is amended
7 to read:

8 108.15 (6) (d) (intro.) Upon receipt of such certification, the ~~state treasurer~~
9 secretary of administration shall withhold, from each sum of any such tax or aid
10 thereafter payable to the government unit, until the delinquency is satisfied, the
11 lesser of the following amounts:

12 ***-0529/4.179*** SECTION 1956. 108.15 (6) (e) of the statutes is amended to read:

13 108.15 (6) (e) Any amount withheld by the ~~state treasurer~~ secretary of
14 administration under par. (d) shall be paid by the ~~state treasurer~~ secretary of
15 administration to the fund's treasurer, who shall duly credit such payment toward
16 satisfying the delinquency.

17 ***-1939/2.2*** SECTION 1957. 108.161 (3) of the statutes is amended to read:

18 108.161 (3) Consistently with this chapter and said section 903, such moneys
19 shall be used solely for benefits or employment security administration by the
20 department, including unemployment insurance, employment service,
21 apprenticeship programs, and related statistical operations.

22 ***-1939/2.3*** SECTION 1958. 108.161 (4) (c) of the statutes is amended to read:

23 108.161 (4) (c) Specifying that the appropriated amounts are available for
24 obligation solely within the 2 years beginning on the appropriation law's date of

1 enactment. This paragraph does not apply to the appropriation under s. 20.445 (1)
2 (nd).

3 ***-1939/2.4* SECTION 1959.** 108.162 (3) of the statutes is amended to read:

4 108.162 (3) The amount obligated under this section during any fiscal year may
5 not exceed the aggregate of all amounts credited under s. 108.161 (1), including
6 amounts credited under s. 108.161 (8), reduced by the amount obligated under s.
7 20.445 (1) (nb) and (nd) and further reduced at the time of any obligation by the sum
8 of the moneys obligated and charged against any of the amounts thus credited.

9 ***-0529/4.180* SECTION 1960.** 108.20 (2) of the statutes is amended to read:

10 108.20 (2) All amounts received by the department for the administrative
11 account shall be paid over to the ~~state treasurer~~ secretary of administration and
12 credited to that account for the administration of this chapter and the employment
13 service, for the payment of benefits chargeable to the account under s. 108.07 (5) and
14 for the purposes specified in sub. (2m).

15 ***b0274/1.2* SECTION 1960m.** 111.09 (1) of the statutes is amended to read:

16 111.09 (1) The commission may adopt reasonable and proper rules and
17 regulations relative to the exercise of its powers and authority and proper rules to
18 govern its proceedings and to regulate the conduct of all elections and hearings. The
19 commission shall, upon request, provide a transcript of a proceeding to any party to
20 the proceeding for a fee, established by rule, by the commission at a uniform rate per
21 page. All transcript fees shall be credited to the appropriation account under s.
22 20.425 (1) (i), ~~except that fees collected in excess of the uniform rate per page for any~~
23 ~~transcript produced by a reporter who is not employed by the commission shall be~~
24 ~~credited to the appropriation account under s. 20.425 (1) (g).~~

25 ***-1712/5.77* SECTION 1961.** 111.335 (1) (cv) of the statutes is amended to read:

1 111.335 (1) (cv) Notwithstanding s. 111.322, it is not employment
2 discrimination because of conviction record to refuse to employ in a position in the
3 classified service, or in a position described in s. 230.08 (2) (k), ~~or as a corps enrollee~~
4 ~~with the Wisconsin conservation corps under s. 106.215 (1) (e)~~ a person who has been
5 convicted under 50 USC, Appendix, section 462 for refusing to register with the
6 selective service system and who has not been pardoned.

7 *~~1295/2.25~~* **SECTION 1962.** 111.375 (1) of the statutes is amended to read:

8 111.375 (1) ~~Except as provided under sub. (2), this~~ This subchapter shall be
9 administered by the department. The department may make, amend and rescind
10 such rules as are necessary to carry out this subchapter. The department or the
11 commission may, by such agents or agencies as it designates, conduct in any part of
12 this state any proceeding, hearing, investigation or inquiry necessary to the
13 performance of its functions. The department shall preserve the anonymity of any
14 employee who is the aggrieved party in a complaint of discrimination in promotion,
15 compensation or terms and conditions of employment, of unfair honesty testing or
16 of unfair genetic testing against his or her present employer until a determination
17 as to probable cause has been made, unless the department determines that the
18 anonymity will substantially impede the investigation.

19 *~~1295/2.26~~* **SECTION 1963.** 111.375 (2) of the statutes is amended to read:

20 111.375 (2) This subchapter applies to each agency of the state ~~except that~~
21 ~~complaints of discrimination, unfair honesty testing or unfair genetic testing against~~
22 ~~the agency as an employer shall be filed with and processed by the personnel~~
23 ~~commission under s. 230.45 (1) (b). Decisions of the personnel commission are~~
24 ~~subject to review under ch. 227.~~

25 *~~1102/6.1~~* **SECTION 1966.** 111.70 (1) (a) of the statutes is amended to read:

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

24 ***b0375/2.2* SECTION 1985m.** 111.70 (4) (n) of the statutes is created to read:

1 111.70 (4) (n) *Municipal employer–initiated change in health care coverage*
2 *plan provider.* Notwithstanding the terms of a collective bargaining agreement, in
3 any collective bargaining unit other than a unit consisting of law enforcement or fire
4 fighting personnel a municipal employer may unilaterally change its employees’
5 health care coverage plan to a health care coverage plan under s. 40.51 (7) or a health
6 care coverage plan that is substantially similar to a plan offered under s. 40.51 (7)
7 without the consent of any affected employee in the collective bargaining unit. The
8 commission shall use the criteria in rules promulgated by the commissioner of
9 insurance under s. 601.41 (12) to determine if health care coverage plans are
10 substantially similar. Any such unilateral change in health care coverage plan
11 provider is not a violation of a collective bargaining agreement or a prohibited
12 practice under sub. (3) (a) and, for purposes of a qualified economic offer, satisfies the
13 requirement to maintain fringe benefits under sub. (1) (nc).

14 ***b0375/2.2* SECTION 1985n.** 111.70 (4) (o) of the statutes is created to read:

15 111.70 (4) (o) *Prohibited subject of collective bargaining.* In collective
16 bargaining units other than units consisting of law enforcement or fire fighting
17 personnel, a municipal employer is prohibited from bargaining collectively with
18 respect to the employer’s selection of a health care coverage plan if the municipal
19 employer offers to enroll the employees in a health care coverage plan under s. 40.51
20 (7) or in a health care coverage plan that is substantially similar to a plan offered
21 under s. 40.51 (7). The commission shall use the criteria in rules promulgated by the
22 commissioner of insurance under s. 601.41 (12) to determine if health care coverage
23 plans are substantially similar.

24 ***b0274/1.3* SECTION 1986m.** 111.71 (1) of the statutes is amended to read:

1 111.71 (1) The commission may adopt reasonable rules relative to the exercise
2 of its powers and authority and proper rules to govern its proceedings and to regulate
3 the conduct of all elections and hearings. The commission shall, upon request,
4 provide a transcript of a proceeding to any party to the proceeding for a fee,
5 established by rule, by the commission at a uniform rate per page. All transcript fees
6 shall be credited to the appropriation account under s. 20.425 (1) (i), ~~except that fees~~
7 ~~collected in excess of the uniform rate per page for any transcript produced by a~~
8 ~~reporter who is not employed by the commission shall be credited to the~~
9 ~~appropriation account under s. 20.425 (1) (g).~~

10 ***b0155/3.87* SECTION 1987m.** 111.81 (5) of the statutes is repealed.

11 ***b0155/3.88* SECTION 1988m.** 111.81 (14) of the statutes is created to read:
12 111.81 (14) “Office” means the office of state human resources management.

13 ***b0155/3.88* SECTION 1988s.** 111.815 of the statutes is amended to read:

14 **111.815 Duties of state. (1)** In the furtherance of this subchapter, the state
15 shall be considered as a single employer and employment relations policies and
16 practices throughout the state service shall be as consistent as practicable. The
17 ~~department~~ office shall negotiate and administer collective bargaining agreements.
18 To coordinate the employer position in the negotiation of agreements, the
19 ~~department~~ office shall maintain close liaison with the legislature relative to the
20 negotiation of agreements and the fiscal ramifications of those agreements. Except
21 with respect to the collective bargaining units specified in s. 111.825 (1m) and (2) (f),
22 the ~~department~~ office is responsible for the employer functions of the executive
23 branch under this subchapter, and shall coordinate its collective bargaining
24 activities with operating state agencies on matters of agency concern. The legislative
25 branch shall act upon those portions of tentative agreements negotiated by the

1 ~~department office~~ that require legislative action. With respect to the collective
2 bargaining units specified in s. 111.825 (1m), the University of Wisconsin Hospitals
3 and Clinics Board is responsible for the employer functions under this subchapter.
4 With respect to the collective bargaining unit specified in s. 111.825 (2) (f), the
5 governing board of the charter school established by contract under s. 118.40 (2r)
6 (cm) is responsible for the employer functions under this subchapter.

7 (2) In the furtherance of the policy under s. 111.80 (4), the ~~secretary of the~~
8 ~~department shall establish a collective bargaining capability within the department~~
9 ~~outside of the division of merit recruitment and selection and~~ director of the office
10 shall, together with the appointing authorities or their representatives, represent
11 the state in its responsibility as an employer under this subchapter except with
12 respect to negotiations in the collective bargaining units specified in s. 111.825 (1m)
13 and (2) (f). The ~~secretary of the department~~ director of the office shall establish and
14 maintain, wherever practicable, consistent employment relations policies and
15 practices throughout the state service.

16 (3) With regard to collective bargaining activities involving employees who are
17 assistant district attorneys, the ~~secretary of the department~~ director of the office
18 shall maintain close liaison with the ~~department~~ secretary of administration.

19 *b0155/3.89* SECTION 1989m. 111.83 (3) of the statutes is amended to read:

20 111.83 (3) Whenever a question arises concerning the representation of
21 employees in a collective bargaining unit the commission shall determine the
22 representative thereof by taking a secret ballot of the employees and certifying in
23 writing the results thereof to the interested parties and to the ~~secretary of the~~
24 ~~department~~ director of the office. There shall be included on any ballot for the
25 election of representatives the names of all labor organizations having an interest

1 in representing the employees participating in the election as indicated in petitions
2 filed with the commission. The name of any existing representative shall be included
3 on the ballot without the necessity of filing a petition. The commission may exclude
4 from the ballot one who, at the time of the election, stands deprived of his or her rights
5 under this subchapter by reason of a prior adjudication of his or her having engaged
6 in an unfair labor practice. The ballot shall be so prepared as to permit a vote against
7 representation by anyone named on the ballot. The commission's certification of the
8 results of any election is conclusive as to the findings included therein unless
9 reviewed under s. 111.07 (8).

10 *~~0576/8.70~~* SECTION 1990. 111.86 (2) of the statutes is amended to read:

11 111.86 (2) The ~~department~~ office shall charge a state department or agency the
12 employer's share of the cost related to grievance arbitration under sub. (1) for any
13 arbitration that involves one or more employees of the state department or agency.
14 Each state department or agency so charged shall pay the amount that the
15 ~~department~~ office charges from the appropriation account or accounts used to pay the
16 salary of the grievant. Funds received under this subsection shall be credited to the
17 appropriation account under s. ~~20.512 (1) (km)~~ 20.545 (1) (km).

18 *b0155/3.93* SECTION 1990m. 111.89 (1) of the statutes is amended to read:

19 111.89 (1) Upon establishing that a strike is in progress, the employer may
20 either seek an injunction or file an unfair labor practice charge with the commission
21 under s. 111.84 (2) (e) or both. It is the responsibility of the ~~department~~ office to
22 decide whether to seek an injunction or file an unfair labor practice charge. The
23 existence of an administrative remedy does not constitute grounds for denial of
24 injunctive relief.

25 *b0310/3.5* SECTION 1991m. 111.91 (2) (im) of the statutes is created to read:

1 111.91 (2) (im) The employer contribution rate and the number of hours of work
2 per year covered under s. 40.05 (4) (ag) 1.

3 ***-0912/2.15* SECTION 1992.** 111.91 (2) (j) of the statutes is amended to read:

4 111.91 (2) (j) Creditable service to which s. 40.25 (7) (f) 40.285 (2) (b) 4. applies.

5 ***b0155/3.94* SECTION 1992e.** 111.91 (4) of the statutes is amended to read:

6 111.91 (4) ~~The secretary of the department~~ director of the office, in connection
7 with the development of tentative collective bargaining agreements to be submitted
8 under s. 111.92 (1) (a), shall endeavor to obtain tentative agreements with each
9 recognized or certified labor organization representing employees or supervisors of
10 employees specified in s. 111.81 (7) (a) and with each certified labor organization
11 representing employees specified in s. 111.81 (7) (b) to (e) which do not contain any
12 provision for the payment to any employee of a cumulative or noncumulative amount
13 of compensation in recognition of or based on the period of time an employee has been
14 employed by the state.

15 ***b0155/3.94* SECTION 1992m.** 111.915 of the statutes is amended to read:

16 **111.915 Labor proposals.** ~~The secretary of the department~~ director of the
17 office shall notify and consult with the joint committee on employment relations, in
18 such form and detail as the committee requests, regarding substantial changes in
19 wages, employee benefits, personnel management, and program policy contract
20 provisions to be included in any contract proposal to be offered to any labor
21 organization by the state or to be agreed to by the state before such proposal is
22 actually offered or accepted.

23 ***b0155/3.94* SECTION 1992s.** 111.92 (1) (a) of the statutes is amended to read:

24 111.92 (1) (a) Any tentative agreement reached between the ~~department~~ office,
25 acting for the state, and any labor organization representing a collective bargaining

1 unit specified in s. 111.825 (1) or (2) (a) to (e) shall, after official ratification by the
2 labor organization, be submitted by the ~~department~~ office to the joint committee on
3 employment relations, which shall hold a public hearing before determining its
4 approval or disapproval. If the committee approves the tentative agreement, it shall
5 introduce in a bill or companion bills, to be put on the calendar or referred to the
6 appropriate scheduling committee of each house, that portion of the tentative
7 agreement which requires legislative action for implementation, such as salary and
8 wage adjustments, changes in fringe benefits, and any proposed amendments,
9 deletions or additions to existing law. Such bill or companion bills are not subject to
10 ss. 13.093 (1), 13.50 (6) (a) and (b) and 16.47 (2). The committee may, however, submit
11 suitable portions of the tentative agreement to appropriate legislative committees
12 for advisory recommendations on the proposed terms. The committee shall
13 accompany the introduction of such proposed legislation with a message that informs
14 the legislature of the committee's concurrence with the matters under consideration
15 and which recommends the passage of such legislation without change. If the joint
16 committee on employment relations does not approve the tentative agreement, it
17 shall be returned to the parties for renegotiation. If the legislature does not adopt
18 without change that portion of the tentative agreement introduced by the joint
19 committee on employment relations, the tentative agreement shall be returned to
20 the parties for renegotiation.

21 ***b0274/1.4* SECTION 1992v.** 111.94 (1) of the statutes is amended to read:

22 111.94 (1) The commission may adopt reasonable and proper rules relative to
23 the exercise of its powers and authority and proper rules to govern its proceedings
24 and to regulate the conduct of all elections and hearings. The commission shall, upon
25 request, provide a transcript of a proceeding to any party to the proceeding for a fee,

1 established by rule, by the commission at a uniform rate per page. All transcript fees
2 shall be credited to the appropriation account under s. 20.425 (1) (i), ~~except that fees~~
3 ~~collected in excess of the uniform rate per page for any transcript produced by a~~
4 ~~reporter who is not employed by the commission shall be credited to the~~
5 ~~appropriation account under s. 20.425 (1) (g).~~

6 *~~1634/7.51~~* SECTION 1993. 114.33 (10) of the statutes is amended to read:

7 114.33 (10) Subject to the approval of the governor under this subsection, the
8 secretary may sell at public or private sale property of whatever nature owned by the
9 state and under the jurisdiction of the secretary when the secretary determines that
10 the property is no longer necessary for the state's use for airport purposes and, if real
11 property, the real property is not the subject of a petition under s. ~~16.375~~ 560.9810.
12 The secretary shall present to the governor a full and complete report of the property
13 to be sold, the reason for the sale, and the minimum price for which the property
14 should be sold, together with an application for the governor's approval of the sale.
15 The governor shall investigate the proposed sale as he or she deems necessary and
16 approve or disapprove the application. Upon approval and receipt of the full
17 purchase price, the secretary shall by appropriate deed or other instrument transfer
18 the property to the purchaser. The funds derived from the sale shall be deposited in
19 the appropriate airport fund, and the expense incurred by the secretary in
20 connection with the sale shall be paid from that fund.

21 *~~b0340/2.3~~* SECTION 1993g. 115.28 (7) (d) of the statutes is renumbered 115.28

22 (7) (d) 1. and amended to read:

23 115.28 (7) (d) 1. ~~Annually,~~ Except as provided in subd. 2., annually establish
24 fees for the certification or licensure of school and public library personnel sufficient
25 to fund certification and licensing administrative costs.

1 ***b0340/2.3* SECTION 1993r.** 115.28 (7) (d) 2. of the statutes is created to read:
2 115.28 (7) (d) 2. Charge a fee of \$150 for an initial or renewal teacher or
3 administrator license issued to a resident of this state.

4 ***b0337/1.3* SECTION 1993v.** 115.28 (11) (intro.) of the statutes is amended to
5 read:

6 115.28 (11) DRIVER EDUCATION COURSES. (intro.) Approve driver education
7 courses offered by school districts, county children with disabilities education
8 boards, and technical college districts for the purposes of ~~ss. 121.41 (1) and s. 343.16~~
9 (1) (c) 1. and establish minimum standards for driver education courses offered in
10 private schools for the purposes of s. 343.16 (1) (c) 3. All driver education courses
11 approved or for which standards are established under this subsection shall do all
12 of the following:

13 ***b0306/4.44* SECTION 1994d.** 115.28 (25) of the statutes is amended to read:

14 115.28 (25) SCHOOL TECHNOLOGY RESOURCE GRANTS. Consult with the technology
15 ~~for educational achievement in Wisconsin board~~ department of administration
16 before awarding school technology resource grants under 20 USC 6842.

17 ***-1301/4.1* SECTION 1995.** 115.28 (30) (b) 1. to 6. of the statutes are amended
18 to read:

19 115.28 (30) (b) 1. ~~Two~~ One full-time consultants consultant in agriculture
20 education.

21 2. ~~Two~~ One full-time consultants consultant in business education.

22 3. ~~Two~~ One full-time consultants consultant in technology education.

23 4. ~~Two~~ One full-time consultants consultant in family and consumer sciences
24 education.

25 5. ~~Two~~ One full-time consultants consultant in marketing education.

1 6. One ~~full-time~~ half-time consultant in health science education.

2 ***b0323/1.3* SECTION 1995d.** 115.28 (45) of the statutes is repealed.

3 ***b0321/1.3* SECTION 1995h.** 115.28 (47) of the statutes is repealed.

4 ***b0340/2.4* SECTION 1995m.** 115.28 (50) of the statutes is created to read:

5 115.28 (50) MENTORS. Annually distribute the amount appropriated under s.
6 20.255 (2) (hg) to school districts based on the number of full-time equivalent
7 teachers employed by the school district. The school district shall use the money to
8 fund mentors, as defined in s. PI 34.01 (34), Wis. Adm. Code.

9 ***b0359/2.1* SECTION 1995t.** 115.28 (51) of the statutes is created to read:

10 ***b0359/2.1* 115.28 (51) PLAN FOR USE OF FEDERAL FUNDS.** Annually submit to
11 the joint committee on finance a plan for using federal funds for administrative
12 purposes. If the cochairpersons of the committee do not notify the department within
13 14 working days after the date of the plan's submission that the committee has
14 scheduled a meeting for the purpose of reviewing the plan, the plan may be
15 implemented as proposed by the department. If, within 14 working days after the
16 date of the plan's submission, the cochairpersons of the committee notify the
17 department that the committee has scheduled a meeting for the purpose of reviewing
18 the proposed plan, the plan may be implemented only upon approval of the
19 committee.

20 ***-0099/3.2* SECTION 1996.** 115.29 (4) of the statutes is renumbered 115.29 (4)

21 (a).

22 ***-0099/3.3* SECTION 1997.** 115.29 (4) (b) of the statutes is created to read:

23 115.29 (4) (b) Promulgate rules establishing fees for issuing a declaration of
24 equivalency of high school graduation or a general educational development

1 certificate under par. (a). The rules may provide exemptions from the fees based on
2 financial need.

3 ***-0529/4.181* SECTION 1998.** 115.345 (5) of the statutes is amended to read:

4 115.345 (5) The school board may file a claim with the department for
5 reimbursement for reasonable expenses incurred, excluding capital equipment
6 costs, but not to exceed 15% of the cost of the meal or 50 cents per meal, whichever
7 is less. Any cost in excess of the lesser amount may be charged to participants. If
8 the department approves the claim, it shall certify that payment is due and the state
9 treasurer secretary of administration shall pay the claim from the appropriation
10 under s. 20.255 (2) (cn).

11 ***b0320/1.3* SECTION 1998g.** 115.75 of the statutes is repealed.

12 ***b0337/1.4* SECTION 1998k.** 115.817 (10) (a) of the statutes is amended to
13 read:

14 115.817 (10) (a) The board may apply for and receive the state aid under ~~ss. s.~~
15 115.88 and ~~121.41 (1)~~ for the transportation, board and lodging, treatment, and
16 instruction of children participating in programs under this section.

17 ***b0354/3.2* SECTION 1998m.** 115.88 (1m) (a) and (am) of the statutes are
18 amended to read:

19 115.88 (1m) (a) If, upon receipt of the plan under s. 115.77 (4), the state
20 superintendent is satisfied that the special education program has been maintained
21 during the preceding school year in accordance with law, the state superintendent
22 shall certify to the department of administration in favor of each county, cooperative
23 educational service agency and school district maintaining such special education
24 program a sum equal to the amount expended by the county, agency and school
25 district during the preceding year for salaries of personnel enumerated in sub. (1),

1 including the salary portion of any authorized contract for physical or occupational
2 therapy services, and other expenses approved by the state superintendent as costs
3 eligible for reimbursement from the ~~appropriation~~ appropriations under s. 20.255 (2)
4 (b) and (bb).

5 (am) If the operator of a charter school established under s. 118.40 (2r) operates
6 a special education program and the state superintendent is satisfied that the
7 operator of the charter school is complying with 20 USC 1400 to 1491o, the state
8 superintendent shall certify to the department of administration in favor of the
9 operator of the charter school a sum equal to the amount that the operator of the
10 charter school expended during the previous school year for salaries of full-time or
11 part-time licensed teachers, licensed coordinators of special education, licensed
12 school social workers, licensed school psychologists, paraprofessionals, licensed
13 consulting teachers to work with any teacher of regular education programs who has
14 a child with a disability in a class and any other personnel, as determined by the state
15 superintendent. Certified costs under this paragraph are eligible for reimbursement
16 from the ~~appropriation~~ appropriations under s. 20.255 (2) (b) and (bb). The state
17 superintendent may audit costs under this paragraph and adjust reimbursement to
18 cover only actual, eligible costs.

19 *b0354/3.2* SECTION 1998n. 115.88 (2), (2m), (3), (4) and (6) of the statutes are
20 amended to read:

21 115.88 (2) TRANSPORTATION AID. If upon receipt of the plan under s. 115.77 (4)
22 the state superintendent is satisfied that the transportation of children with
23 disabilities has been maintained during the preceding year in accordance with the
24 law, the state superintendent shall certify to the department of administration in
25 favor of each county, cooperative educational service agency, or school district

1 transporting such pupils an amount equal to the amount expended for such
2 transportation as costs eligible for reimbursement from the ~~appropriation~~
3 appropriations under s. 20.255 (2) (b) and (bb). Pupils for whom aid is paid under
4 this subsection shall not be eligible for aid under s. 121.58 (2) or (4). This subsection
5 applies to any child with a disability who requires special assistance in
6 transportation, including any such child attending regular classes who requires
7 special or additional transportation. This subsection does not apply to any child with
8 a disability attending regular or special classes who does not require any special or
9 additional transportation.

10 **(2m) OTHER TRANSPORTATION AID.** If the operator of a charter school established
11 under s. 118.40 (2r) transports children with disabilities and the state
12 superintendent is satisfied that the operator of the charter school is complying with
13 20 USC 1400 to 1491o, the state superintendent shall certify to the department of
14 administration in favor of the operator of the charter school a sum equal to the
15 amount that the operator of the charter school expended during the previous school
16 year for transportation under this subsection as costs eligible for reimbursement
17 from the appropriations under s. 20.255 (2) (b) and (bb). The state superintendent
18 may audit costs under this subsection and adjust reimbursement to cover only
19 actual, eligible costs.

20 **(3) BOARD AND LODGING AID.** There shall be paid the amount expended for board
21 and lodging and transportation between the boarding home and the special
22 education program of nonresident children enrolled under s. 115.82 (1) in the special
23 education program. The department shall certify to the department of
24 administration in favor of each school district, cooperative educational service
25 agency, county children with disabilities education board, state agency of another

1 state or private, nonsectarian special education service which operates the special
2 education program while providing board, lodging and transportation an amount
3 equal to the amount expended for such board and lodging and transportation as costs
4 eligible for reimbursement from the ~~appropriation~~ appropriations under s. 20.255 (2)
5 (b) and (bb).

6 (4) HOSPITALS AND CONVALESCENT HOME AID. The full cost of special education for
7 children in hospitals and convalescent homes for orthopedically disabled children
8 shall be paid from the ~~appropriation~~ appropriations under s. 20.255 (2) (b) and (bb).
9 The supervision of such instruction shall be under the department and the school
10 board of the school district in which the hospital or convalescent home is located. The
11 school board of the district in which the hospital or convalescent home is located shall
12 submit to the department an itemized statement of all revenues and expenditures
13 for the actual cost of such instruction and any other information it requires.

14 (6) AID FOR INSTRUCTION OUTSIDE OF DISTRICT. The department shall certify to
15 the department of administration, in favor of each school district, an amount equal
16 to the amount expended for salaries and travel expenses, as determined in advance
17 by the state superintendent, for providing special education outside the school
18 district of employment, as eligible for reimbursement from the ~~appropriation~~
19 appropriations under s. 20.255 (2) (b) and (bb).

20 *b0354/3.2* SECTION 1998no. 115.88 (8) of the statutes is amended to read:

21 115.88 (8) ENROLLMENT OUT OF STATE. If a child with a disability is enrolled in
22 a public special education program located in another state and the state
23 superintendent is satisfied that the program in which the child is enrolled complies
24 with this subchapter, the state superintendent shall certify to the department of
25 administration in favor of the school district in which the child resides or the school

1 district attended by the child under s. 118.51 or 121.84 (1) (a) or (4) a sum equal to
2 the amount expended by the school district during the preceding year for the
3 additional costs associated with the child's special education program as costs
4 eligible for reimbursement from the ~~appropriation~~ appropriations under s. 20.255 (2)
5 (b) and (bb).

6 ***-0194/9.16*** SECTION 1999. 115.882 of the statutes is amended to read:

7 **115.882 Payment of state aid.** Funds appropriated under s. 20.255 (2) (b)
8 shall be used first for the purpose of s. 115.88 (4). Costs eligible for reimbursement
9 from the appropriation under s. 20.255 (2) (b) under ss. 115.88 (1m) to (3), (6) and (8),
10 115.93, and 118.255 (4) shall be reimbursed at a rate set to distribute the full amount
11 appropriated for reimbursement for the costs, less the amount paid by the
12 department of health and family services under s. 20.435 (4) (b) and (o) under s. 49.45
13 (39) (b) 1m., not to exceed 100%.

14 ***b0354/3.3*** SECTION 1999c. 115.882 of the statutes, as affected by 2003
15 Wisconsin Act (this act), is amended to read:

16 **115.882 Payment of state aid.** Funds appropriated under s. 20.255 (2) (b)
17 and (bb) shall be used first for the purpose of s. 115.88 (4). Costs eligible for
18 reimbursement from the ~~appropriation~~ appropriations under s. 20.255 (2) (b) and
19 (bb) under ss. 115.88 (1m) to (3), (6) and (8), 115.93, and 118.255 (4) shall be
20 reimbursed at a rate set to distribute the full amount appropriated for
21 reimbursement for the costs, less the amount paid by the department of health and
22 family services under s. 20.435 (4) (hm) and (o) under s. 49.45 (39) (b) 1m., not to
23 exceed 100%.

24 ***b0354/3.3*** SECTION 1999n. 115.93 of the statutes is amended to read:

1 **115.93 State aid.** If upon receipt of the reports under s. 115.92 (2) the state
2 superintendent is satisfied that the school age parents program has been maintained
3 during the preceding school year in accordance with the rules under s. 115.92 (3), the
4 state superintendent shall certify to the department of administration in favor of
5 each school district maintaining the program a sum equal to the amount expended
6 by the school district during the preceding school year for salaries of teachers and
7 instructional aides, special transportation and other expenses approved by the state
8 superintendent as costs eligible for reimbursement from the ~~appropriation~~
9 appropriations under s. 20.255 (2) (b) and (bb).

10 ***-1269/1.1* SECTION 2006.** 118.153 (1) (a) (intro.) of the statutes is amended
11 to read:

12 118.153 (1) (a) (intro.) “Children at risk” means pupils in grades 5 to 12 who
13 are at risk of not graduating from high school because they ~~failed the high school~~
14 ~~graduation examination administered under s. 118.30 (1m) (d)~~, are dropouts, or are
15 2 or more of the following:

16 ***-1599/1.6* SECTION 2007.** 118.153 (4) (b) of the statutes is amended to read:

17 118.153 (4) (b) Upon receipt of a school board’s annual report under par. (a) the
18 state superintendent shall pay to the school district from the appropriation under s.
19 20.255 (2) (bc), for each pupil enrolled in a program for children at risk who achieved
20 at least 3 of the objectives under par. (c) in the previous school year, additional state
21 aid in an amount equal to 10% of the school district’s average per pupil aids provided
22 under s. 20.835 (7) (a), 1991 stats., and s. 20.255 (2) (ac) and (r) in the previous school
23 year.

24 ***b0257/4.6* SECTION 2007m.** 118.153 (4) (b) of the statutes, as affected by 2003
25 Wisconsin Act (this act), is amended to read:

1 118.153 (4) (b) Upon receipt of a school board's annual report under par. (a) the
2 state superintendent shall pay to the school district from the appropriation under s.
3 20.255 (2) (bc), for each pupil enrolled in a program for children at risk who achieved
4 at least 3 of the objectives under par. (c) in the previous school year, additional state
5 aid in an amount equal to 10% of the school district's average per pupil aids provided
6 under s. 20.835 (7) (a), 1991 stats., s. 20.255 (2) (r), 2003 stats., and s. 20.255 (2) (ac)
7 ~~and (r)~~ in the previous school year.

8 *~~1269/1.2~~* SECTION 2008. 118.153 (4) (c) 3. of the statutes is amended to read:

9 118.153 (4) (c) 3. The pupil, if a high school senior, received a high school
10 diploma ~~or passed the high school graduation examination administered under s.~~
11 ~~118.30 (1m) (d).~~

12 *~~b0354/3.4~~* SECTION 2009m. 118.255 (4) of the statutes is amended to read:

13 118.255 (4) If the state superintendent is satisfied that the health treatment
14 services program has been maintained during the preceding school year in
15 accordance with law, the state superintendent shall certify to the department of
16 administration in favor of each school board, cooperative educational service agency
17 and county children with disabilities education board maintaining such health
18 treatment services, an amount equal to the amount expended for items listed in s.
19 115.88 (1m) by the school board, cooperative educational service agency and county
20 children with disabilities education board during the preceding year for these health
21 treatment services as costs eligible for reimbursement from the ~~appropriation~~
22 appropriations under s. 20.255 (2) (b) and (bb).

23 *~~1269/1.3~~* SECTION 2010. 118.30 (1) (a) of the statutes is renumbered 118.30
24 (1).

25 *~~1269/1.4~~* SECTION 2011. 118.30 (1) (b) of the statutes is repealed.

1 ***-1269/1.5*** SECTION 2012. 118.30 (1g) (b) of the statutes is repealed.

2 ***-1269/1.6*** SECTION 2013. 118.30 (1m) (d) of the statutes is repealed.

3 ***-1269/1.7*** SECTION 2014. 118.30 (1r) (a) 1. of the statutes is amended to read:

4 118.30 (1r) (a) 1. Except as provided in sub. (6), administer the 4th grade
5 examination adopted or approved by the state superintendent under sub. (1) (a) to
6 all pupils enrolled in the charter school in the 4th grade.

7 ***-1269/1.8*** SECTION 2015. 118.30 (1r) (am) 1. of the statutes is amended to
8 read:

9 118.30 (1r) (am) 1. Except as provided in sub. (6), administer the 8th grade
10 examination adopted or approved by the state superintendent under sub. (1) (a) to
11 all pupils enrolled in the charter school in the 8th grade.

12 ***-1269/1.9*** SECTION 2016. 118.30 (1r) (d) of the statutes is repealed.

13 ***-1269/1.10*** SECTION 2017. 118.30 (2) (e) of the statutes is repealed.

14 ***-1269/1.11*** SECTION 2018. 118.33 (1) (f) 1. of the statutes is amended to read:

15 118.33 (1) (f) 1. By September 1, 2004, each school board operating high school
16 grades shall develop a written policy specifying criteria for granting a high school
17 diploma that are in addition to the requirements under par. (a). The criteria shall
18 include ~~the pupil's score on the examination administered under s. 118.30 (1m) (d),~~
19 the pupil's academic performance, and the recommendations of teachers. Except as
20 provided in subd. 2., the criteria apply to pupils enrolled in charter schools located
21 in the school district.

22 ***-1269/1.12*** SECTION 2019. 118.33 (1) (f) 2. of the statutes is amended to read:

23 118.33 (1) (f) 2. By September 1, 2004, each operator of a charter school under
24 s. 118.40 (2r) that operates high school grades shall develop a policy specifying
25 criteria for granting a high school diploma. The criteria shall include ~~the pupil's~~

1 ~~score on the examination administered under s. 118.30 (1r) (d),~~ the pupil's academic
2 performance, and the recommendations of teachers.

3 ***-1689/3.47* SECTION 2020.** 118.34 (4) of the statutes is repealed.

4 ***b0339/1.1* SECTION 2020g.** 118.40 (2r) (c) 1. of the statutes is amended to
5 read:

6 118.40 (2r) (c) 1. Only Except as provided in subd. 2., only pupils who reside
7 in the school district in which a charter school established under this subsection is
8 located may attend the charter school.

9 ***b0339/1.1* SECTION 2020k.** 118.40 (2r) (c) 2. of the statutes is repealed and
10 recreated to read:

11 118.40 (2r) (c) 2. A pupil who resides outside the school district operating under
12 ch. 119 may attend a charter school established under this subsection in the school
13 district operating under ch. 119.

14 ***b0358/1.1* SECTION 2020m.** 118.40 (2r) (cm) of the statutes is amended to
15 read:

16 118.40 (2r) (cm) The chancellor of the University of Wisconsin–Parkside may
17 establish or enter into a contract for the establishment of only one charter school
18 under this subsection, which may not operate high school grades ~~and which may not~~
19 accommodate more than 400 pupils.

20 ***-1571/4.1* SECTION 2021.** 118.40 (2r) (e) 1. of the statutes is amended to read:

21 118.40 (2r) (e) 1. From the appropriation under s. 20.255 (2) (fm), the
22 department shall pay to the operator of the charter school an amount equal to the
23 sum of the amount paid per pupil under this subdivision in the previous school year
24 and the ~~amount of revenue increase in the~~ per pupil allowed under subch. VII of ch.
25 ~~121~~ amount paid to private schools under s. 119.23 (4) (b) 2. in the current school year

1 as compared to the previous school year, multiplied by the number of pupils
2 attending the charter school. The amount paid per pupil may not be less than the
3 amount paid per pupil under this subdivision in the previous school year. The
4 department shall pay 25% of the total amount in September, 25% in December, 25%
5 in February, and 25% in June. The department shall send the check to the operator
6 of the charter school.

7 *b0358/1.2* SECTION 2021f. 118.40 (2r) (e) 2. of the statutes is amended to
8 read:

9 118.40 (2r) (e) 2. If the chancellor of the University of Wisconsin–Parkside
10 establishes or contracts for the establishment of a charter school under this
11 subsection, in March the department shall pay to the unified school district in which
12 the charter school is located, from the appropriation under s. 20.255 (2) (fm), an
13 amount equal to the amount of school aid per pupil to which the unified school district
14 is eligible in the current school year multiplied by the number of pupils, not to exceed
15 400, attending the charter school who were previously enrolled in the unified school
16 district.

17 *b0354/3.5* SECTION 2021m. 118.43 (3) (intro.) of the statutes is amended to
18 read:

19 118.43 (3) CONTRACT REQUIREMENTS. (intro.) Except as provided in pars. (am)
20 and (ar) and sub. (4m), an achievement guarantee contract shall require the school
21 board to do all of the following in each participating school:

22 *b0354/3.5* SECTION 2021n. 118.43 (4m) of the statutes is created to read:

23 118.43 (4m) EXCEPTIONS. A school district participating in the program under
24 this section on the effective date of this subsection [revisor inserts date], may

1 choose not to comply with the requirement to reduce class size to 15 in grades 2 or
2 3 in any school.

3 ***b0354/3.5* SECTION 2021no.** 118.43 (6) (b) (intro.) of the statutes is amended
4 to read:

5 118.43 (6) (b) (intro.) From the appropriations under s. 20.255 (2) (cu) and (cv),
6 subject to par. (c), the department shall pay to each school district that has entered
7 into a contract with the department under this section, except for a school district
8 under sub. (4m), an amount determined as follows:

9 ***b0354/3.5* SECTION 2021nr.** 118.43 (6) (b) 8. of the statutes is amended to
10 read:

11 118.43 (6) (b) 8. In the 2003–04 and 2004–05 school years, \$2,000 multiplied
12 by the number of low–income pupils enrolled in grades eligible for funding in each
13 school in the school district covered by contracts under sub. (3) (ar) and by renewals
14 of contracts under sub. (2) (g) and \$2,000 multiplied by the number of low–income
15 pupils enrolled in those grades under sub. (4m) in which the class size has been
16 reduced to 15.

17 ***b0503/2.10* SECTION 2022b.** 119.04 (1) of the statutes is amended to read:

18 119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c),
19 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343, 115.345, 115.361, 115.38
20 (2), 115.45, 118.001 to 118.04, 118.045, 118.06, 118.07, 118.10, 118.12, 118.125 to
21 118.14, 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18,
22 118.19, 118.20, 118.24 (1), (2) (c) to (f), (6) and (8), 118.245, 118.255, 118.258, 118.291,
23 118.30 to 118.43, 118.51, 118.52, 118.55, 120.12 (5) and (15) to ~~(26)~~ (27), 120.125,
24 120.13 (1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34), (35) and (37), 120.14 and
25 120.25 are applicable to a 1st class city school district and board.

1 ***b0338/1.1* SECTION 2022d.** 119.23 (2) (a) (intro.) of the statutes is amended
2 to read:

3 119.23 (2) (a) (intro.) Subject to par. (b) (e), any pupil in grades kindergarten
4 to 12 who resides within the city may attend, at no charge, any private school located
5 in the city Milwaukee County if all of the following apply:

6 ***b0338/1.1* SECTION 2022h.** 119.23 (2) (a) 2. of the statutes is repealed.

7 ***b0338/1.1* SECTION 2022p.** 119.23 (2) (b) of the statutes is repealed.

8 ***b0338/1.1* SECTION 2022t.** 119.23 (2) (e) of the statutes is created to read:

9 119.23 (2) (e) A pupil who attends a private school under this section is eligible
10 to attend a private school under this section in succeeding school years even if the
11 pupil no longer meets the criterion under par. (a) 1.

12 ***-1571/4.2* SECTION 2023.** 119.23 (4) (b) 2. of the statutes is amended to read:

13 119.23 (4) (b) 2. ~~The sum of the amount paid per pupil under this subsection~~
14 ~~paragraph~~ in the previous school year ~~and the amount of revenue increase per pupil~~
15 ~~allowed under subch. VII of ch. 121 in the current school year~~ multiplied by the sum
16 of 1.0 plus the percentage change from the previous school year to the current school
17 year in the total amount appropriated under s. 20.255 (2) (ac) and (r) expressed as
18 a decimal, but not less than zero.

19 ***-1752/3.47* SECTION 2024.** 119.72 of the statutes is repealed.

20 ***-1752/3.48* SECTION 2025.** 119.73 of the statutes is amended to read:

21 **119.73 Kindergarten and early childhood programs.** The board shall
22 evaluate the effectiveness of the expanded 5-year-old kindergarten programs under
23 s. 119.71 and the early childhood education programs under s. 119.72 in meeting the
24 needs of disadvantaged children. Annually by January 1, the board shall submit a
25 report summarizing its findings to the state superintendent and to the chief clerk of

1 each house of the legislature for distribution to the appropriate standing committees
2 under s. 13.172 (3).

3 ***-1752/3.49* SECTION 2026.** 119.80 of the statutes is repealed.

4 ***-1752/3.50* SECTION 2027.** 119.82 (1) (a) of the statutes is renumbered 119.82
5 (1m).

6 ***-1752/3.51* SECTION 2028.** 119.82 (1) (b) of the statutes is renumbered 119.82
7 (2m) and amended to read:

8 119.82 (2m) Programs under ~~par. (a)~~ sub. (1m) shall be designed to meet the
9 high school graduation requirements under s. 118.33.

10 ***-1752/3.52* SECTION 2029.** 119.82 (2) of the statutes is repealed.

11 ***-1752/3.53* SECTION 2030.** 119.82 (3) of the statutes is repealed.

12 ***-1752/3.54* SECTION 2031.** 119.82 (5) of the statutes is repealed.

13 ***b0503/2.11* SECTION 2031p.** 120.12 (27) of the statutes is created to read:

14 120.12 (27) MINORITY CONTRACTING. If the school board adopts a policy that
15 authorizes preferences or set-asides to minority businesses in the awarding of a
16 public contract, as defined in s. 60.47 (1) (a), ensure that the policy requires that the
17 minority business be certified by the department of commerce under s. 560.036 (2).

18 ***b0306/4.45* SECTION 2032d.** 120.18 (1) (i) of the statutes is amended to read:

19 120.18 (1) (i) A description of the educational technology used by the school
20 district, including the uses made of the technology, the cost of the technology, and the
21 number of persons using or served by the technology. In this paragraph, “educational
22 technology” has the meaning given in s. 44.70 ~~16.99~~ (3).

23 ***b0346/4.1* SECTION 2032e.** 121.004 (7) (c) 1. c. of the statutes is created to
24 read:

1 121.004 (7) (c) 1. c. A pupil enrolled in a 4-year-old kindergarten program who
2 is not a child with a disability shall be counted as 0.25 pupil.

3 ***b0346/4.1* SECTION 2032g.** 121.004 (7) (cm) of the statutes is amended to
4 read:

5 121.004 (7) (cm) A pupil enrolled in a 4-year-old kindergarten program that
6 provides the required number of hours of direct pupil instruction under s. 121.02 (1)
7 (f) 2. shall be counted as 0.6 pupil if the pupil is a child with a disability and the
8 program annually provides at least 87.5 additional hours of outreach activities.

9 ***b0361/1.1* SECTION 2032m.** 121.004 (7) (f) of the statutes is renumbered
10 121.004 (7) (f) (intro.) and amended to read:

11 121.004 (7) (f) (intro.) A pupil who transfers from one school district to another
12 under s. 121.85 (3) (a) shall:

13 1. In the 2003–04 school year, be counted by the school district in which the
14 pupil resides as 0.75 pupil or, if appropriate, as a number equal to the result obtained
15 by multiplying 0.75 by the appropriate fraction under par. (c), (cm) or (d).

16 ***b0361/1.1* SECTION 2032n.** 121.004 (7) (f) 2. of the statutes is created to read:

17 121.004 (7) (f) 2. In the 2004–05 school year, be counted by the school district
18 in which the pupil resides as 0.65 pupil, or, if appropriate, as a number equal to the
19 result obtained by multiplying 0.65 by the appropriate fraction under par. (c), (cm),
20 or (d).

21 ***b0361/1.1* SECTION 2032o.** 121.004 (7) (f) 3. of the statutes is created to read:

22 121.004 (7) (f) 3. In the 2005–06 school year and each subsequent school year,
23 be counted by the school district in which the pupil resides as 0.50 pupil, or, if
24 appropriate, as a number equal to the result obtained by multiplying 0.50 by the
25 appropriate fraction under par. (c), (cm), or (d).

1 *–1599/1.7* SECTION 2033. 121.007 of the statutes is amended to read:

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

8 ***b0257/4.7*** SECTION 2033m. 121.007 of the statutes, as affected by 2003
9 Wisconsin Act (this act), is amended to read:

10 **121.007 Use of state aid; exemption from execution.** All moneys paid to
11 a school district under s. 20.255 (2) (ac), (bc), (cg), and (cr), ~~and (r)~~ shall be used by
12 the school district solely for the purposes for which paid. Such moneys are exempt
13 from execution, attachment, garnishment, or other process in favor of creditors,
14 except as to claims for salaries or wages of teachers and other school employees and
15 as to claims for school materials, supplies, fuel, and current repairs.

16 *–1599/1.8* SECTION 2034. 121.07 (7) (b) of the statutes is amended to read:

17 121.07 (7) (b) The “secondary guaranteed valuation per member” is an amount,
18 rounded to the next lower dollar, that, after subtraction of payments under ss. 121.09
19 and 121.85 (6) (b) 2. and 3. and (c), fully distributes an amount equal to the amount
20 remaining in the ~~appropriation~~ appropriations under s. 20.255 (2) (ac) ~~plus~~
21 \$75,000,000 in the 1997–98 school year and \$100,000,000 in the 1998–99 school year
22 for payments under ss. 121.08, 121.105, 121.85 (6) (a) and (g) and 121.86 and (r).

23 ***b0257/4.8*** SECTION 2034m. 121.07 (7) (b) of the statutes, as affected by 2003
24 Wisconsin Act (this act), is amended to read:

1 121.07 (7) (b) The “secondary guaranteed valuation per member” is an amount,
2 rounded to the next lower dollar, that, after subtraction of payments under ss. 121.09
3 and 121.85 (6) (b) 2. and 3. and (c), fully distributes an amount equal to the amount
4 remaining in the ~~appropriations~~ appropriation under s. 20.255 (2) (ac) ~~and (r)~~.

5 *~~1599/1.9~~* SECTION 2036. 121.08 (4) (a) (intro.) of the statutes is amended to
6 read:

7 121.08 (4) (a) (intro.) The amount of state aid that a school district is eligible
8 to be paid from the ~~appropriation~~ appropriations under s. 20.255 (2) (ac) and (r) shall
9 be reduced by the amount determined as follows:

10 *~~b0257/4.9~~* SECTION 2036m. 121.08 (4) (a) (intro.) of the statutes, as affected
11 by 2003 Wisconsin Act (this act), is amended to read:

12 121.08 (4) (a) (intro.) The amount of state aid that a school district is eligible
13 to be paid from the ~~appropriations~~ appropriation under s. 20.255 (2) (ac) ~~and (r)~~ shall
14 be reduced by the amount determined as follows:

15 *~~1599/1.10~~* SECTION 2037. 121.08 (4) (a) 2. of the statutes is amended to read:

16 121.08 (4) (a) 2. Divide the sum under subd. 1. by the total amount of state aid
17 that all school districts are eligible to be paid from the ~~appropriation~~ appropriations
18 under s. 20.255 (2) (ac) and (r), calculated as if the reduction under par. (b) had not
19 occurred.

20 *~~b0257/4.10~~* SECTION 2037m. 121.08 (4) (a) 2. of the statutes, as affected by
21 2003 Wisconsin Act (this act), is amended to read:

22 121.08 (4) (a) 2. Divide the sum under subd. 1. by the total amount of state aid
23 that all school districts are eligible to be paid from the ~~appropriations~~ appropriation
24 under s. 20.255 (2) (ac) ~~and (r)~~, calculated as if the reduction under par. (b) had not
25 occurred.

1 ***-1599/1.11* SECTION 2038.** 121.08 (4) (a) 3. of the statutes is amended to read:

2 121.08 (4) (a) 3. Multiply the amount of state aid that the school district is
3 eligible to be paid from the ~~appropriation~~ appropriations under s. 20.255 (2) (ac) and
4 (r), calculated as if the reduction under par. (b) had not occurred, by the quotient
5 under subd. 2.

6 ***b0257/4.11* SECTION 2038m.** 121.08 (4) (a) 3. of the statutes, as affected by
7 2003 Wisconsin Act (this act), is amended to read:

8 121.08 (4) (a) 3. Multiply the amount of state aid that the school district is
9 eligible to be paid from the ~~appropriations~~ appropriation under s. 20.255 (2) (ac) and
10 (r), calculated as if the reduction under par. (b) had not occurred, by the quotient
11 under subd. 2.

12 ***-1599/1.12* SECTION 2039.** 121.08 (4) (b) of the statutes is amended to read:

13 121.08 (4) (b) The amount of state aid that the school district operating under
14 ch. 119 is eligible to be paid from the ~~appropriation~~ appropriations under s. 20.255
15 (2) (ac) and (r) shall also be reduced by 45% of the amounts paid under s. 119.23 (4)
16 and (4m) in the current school year.

17 ***b0257/4.12* SECTION 2039m.** 121.08 (4) (b) of the statutes, as affected by 2003
18 Wisconsin Act (this act), is amended to read:

19 121.08 (4) (b) The amount of state aid that the school district operating under
20 ch. 119 is eligible to be paid from the ~~appropriations~~ appropriation under s. 20.255
21 (2) (ac) and (r) shall also be reduced by 45% of the amounts paid under s. 119.23 (4)
22 and (4m) in the current school year.

23 ***b0362/2.4* SECTION 2041m.** 121.09 (2m) of the statutes is created to read:

24 121.09 (2m) If after June 30, 1995, and before the effective date of this
25 subsection [revisor inserts date], the state board of assessors, the tax appeals

1 commission, or a court makes a final redetermination on the assessment of telephone
2 company property subject to taxation under s. 70.112 (4) and subch. IV of ch. 76 that
3 is lower than the previous assessment, the school board of the school district in which
4 the property is located may, within 4 years after the effective date of this subsection
5 [revisor inserts date], file the redetermination with the state superintendent,
6 requesting an adjustment in state aid to the school district. If the state
7 superintendent determines that the redetermination is final and that it has been
8 filed within the 4-year period, the state shall pay to the school district in the
9 subsequent fiscal year, from the appropriation under s. 20.255 (2) (ac), an amount
10 equal to the difference between the state aid computed under s. 121.08 for the school
11 year commencing after the year subject to the valuation recertification, using the
12 school district's equalized valuation as originally certified, and the state aid
13 computed under s. 121.08 for that school year using the school district's equalized
14 valuation as recertified under s. 70.57 (2).

15 *b0362/2.4* SECTION 2041r. 121.09 (2r) of the statutes is created to read:

16 121.09 (2r) If after the effective date of this subsection [revisor inserts date],
17 the state board of assessors, the tax appeals commission, or a court makes a final
18 redetermination on the assessment of telephone company property subject to
19 taxation under s. 70.112 (4) and subch. IV of ch. 76 that is lower than the previous
20 assessment, the school board of the school district in which the property is located
21 may, within 4 years after the redetermination, file the redetermination with the state
22 superintendent, requesting an adjustment in state aid to the school district. If the
23 state superintendent determines that the redetermination is final and that it has
24 been filed within the 4-year period, the state shall pay to the school district in the
25 subsequent fiscal year, from the appropriation under s. 20.255 (2) (ac), an amount

1 equal to the difference between the state aid computed under s. 121.08 for the school
2 year commencing after the year subject to the valuation recertification, using the
3 school district's equalized valuation as originally certified, and the state aid
4 computed under s. 121.08 for that school year using the school district's equalized
5 valuation as recertified under s. 70.57 (2).

6 ***-1563/2.2*** SECTION 2042. 121.15 (3m) of the statutes is repealed.

7 ***b0337/1.5*** SECTION 2042c. 121.41 (1) of the statutes is repealed.

8 ***b0337/1.5*** SECTION 2042f. 121.41 (2) (title) of the statutes is repealed.

9 ***b0337/1.5*** SECTION 2042h. 121.41 (2) of the statutes is renumbered 121.41.

10 ***b0339/1.2*** SECTION 2042k. 121.54 (2) (c) of the statutes is amended to read:

11 121.54 (2) (c) An annual or special meeting of a common or union high school
12 district, ~~or~~ the school board of a unified school district, or the board of school directors
13 in charge of the school district operating under ch. 119, may elect to provide
14 transportation for pupils who are not required to be transported under this section,
15 including pupils attending public school under s. 118.145 (4). Transportation may
16 be provided for all or some of the pupils who reside in the school district to and from
17 the public school they are ~~entitled to attend; the charter school that they attend;~~ or
18 the private school, within or outside the school district, within whose attendance
19 area they reside. If transportation is provided for less than all such pupils there shall
20 be reasonable uniformity in the minimum distance that pupils attending public and
21 ~~private schools~~ will be transported. Except for elementary school districts electing
22 to furnish transportation under par. (b) 2., this paragraph does not permit a school
23 district operating only elementary grades to provide transportation for pupils
24 attending private schools.

1 ***b0361/1.2* SECTION 2042m.** 121.85 (6) (b) 2. of the statutes is amended to
2 read:

3 121.85 (6) (b) 2. In each the 2003–04 school year, the school district of
4 attendance of pupils transferring from one school district to another under sub. (3)
5 (a) shall receive an amount equal to that produced by multiplying the number of
6 pupils transferred into the school district under sub. (3) (a) in the previous school
7 year by the amount produced by dividing the school district's net school cost by the
8 sum of the membership, plus the number of pupils transferred into the school district
9 of attendance in the previous school year under sub. (3) (a). This subdivision applies
10 to aid paid in the 1995–96 school year only if the number of pupils transferring from
11 one school district to another under sub. (3) (a) in the 1994–95 school year constitutes
12 less than 5% of the total membership of the school district of attendance.

13 ***b0361/1.2* SECTION 2042r.** 121.85 (6) (b) 2m. of the statutes is created to read:

14 121.85 (6) (b) 2m. Following the 2003–04 school year, the school district of
15 attendance of pupils transferring from one school district to another under sub. (3)
16 (a) shall receive the lesser of the average net cost per pupil under subd. 2., as
17 determined by the department, or:

18 a. In the 2004–05 school year, \$11,000 per pupil transferred.

19 b. In the 2005–06 school year, \$10,000 per pupil transferred.

20 c. In the 2006–07 school year, \$9,000 per pupil transferred.

21 d. In the 2007–08 school year and each subsequent school year, \$8,000 per pupil
22 transferred.

23 ***b0346/4.2* SECTION 2042v.** 121.90 (1) (f) of the statutes is created to read:

24 121.90 (1) (f) In determining a school district's revenue limit for the 2003–04
25 school year or for any school year thereafter, the department shall calculate the

1 number of pupils enrolled in each school year prior to the 2003–04 school year by
2 counting pupils enrolled in a 4–year–old kindergarten program as provided in s.
3 121.004 (7) (c) and (cm).

4 **SECTION 2043b.** 121.905 (1) of the statutes is amended to read:

5 121.905 (1) In this section, “revenue ceiling” means ~~\$6,700 in the 2001–02~~
6 ~~school year and in any subsequent school year means \$6,900, except that “revenue~~
7 ceiling” means \$7,400 in the 2003–04 school year and \$7,800 in any subsequent
8 school year if a school board adopts a resolution to that effect by a two–thirds vote
9 of the members elect.

10 ***b0342/4.2* SECTION 2043d.** 121.91 (2m) (e) (intro.) of the statutes is amended
11 to read:

12 121.91 (2m) (e) (intro.) Except as provided in subs. (3) and (4), no school district
13 may increase its revenues for the 1999–2000, 2000–01, 2001–02, or 2002–03 school
14 year ~~or for any school year thereafter~~ to an amount that exceeds the amount
15 calculated as follows:

16 ***b0342/4.2* SECTION 2043h.** 121.91 (2m) (f) of the statutes is created to read:

17 121.91 (2m) (f) Except as provided in subs. (3) and (4), no school district may
18 increase its revenues for the 2003–04 school year to an amount that exceeds the
19 amount calculated as follows:

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

24 2. Add \$120 to the result under subd. 1.

1 3. Multiply the result under subd. 2. by the average of the number of pupils
2 enrolled in the current and the 2 preceding school years.

3 ***b0342/4.2* SECTION 2043s.** 121.91 (2m) (g) of the statutes is created to read:

4 121.91 (2m) (g) Except as provided in subs. (3) and (4), no school district may
5 increase its revenues for the 2004–05 school year or for any school year thereafter
6 to an amount that exceeds the amount calculated as follows:

7 1. Divide the sum of the amount of state aid received in the previous school year
8 and property taxes levied for the previous school year, excluding property taxes
9 levied for the purpose of s. 120.13 (19) and excluding funds described under sub. (4)
10 (c), by the average of the number of pupils enrolled in the 3 previous school years.

11 2. Add \$100 to the result under subd. 1.

12 3. Multiply the result under subd. 2. by the average of the number of pupils
13 enrolled in the current and the 2 preceding school years.

14 ***b0342/4.2* SECTION 2043u.** 121.91 (2m) (r) 1. (intro.) of the statutes is
15 amended to read:

16 121.91 (2m) (r) 1. (intro.) Notwithstanding pars. (c), ~~(d)~~ and ~~(e)~~ to (g), if a school
17 district is created under s. 117.105, its revenue limit under this section for the school
18 year beginning with the effective date of the reorganization shall be determined as
19 follows except as provided under subs. (3) and (4):

20 ***b0342/4.2* SECTION 2043w.** 121.91 (2m) (r) 2. (intro.) of the statutes is
21 amended to read:

22 121.91 (2m) (r) 2. (intro.) If a school district is created under s. 117.105, the
23 following adjustments to the calculations under pars. (c), ~~(d)~~ and ~~(e)~~ to (g) apply for
24 the 2 school years beginning on the July 1 following the effective date of the
25 reorganization:

1 ***b0342/4.2* SECTION 2043y.** 121.91 (4) (f) of the statutes is amended to read:

2 121.91 (4) (f) 1. For the 1999–2000 school year or any school year thereafter,
3 if the average of the number of pupils enrolled in the current and the 2 preceding
4 school years is less than the average of the number of pupils enrolled in the 3 previous
5 school years, the limit otherwise applicable under sub. (2m) (e) (f) or (g) is increased
6 by the additional amount that would have been calculated had the decline in average
7 enrollment been 25% of what it was.

8 2. Any additional revenue received by a school district as a result of subd. 1.
9 shall not be included in the base for determining the school district's limit under sub.
10 (2m) (e) (f) or (g) for the following school year.

11 ***b0350/2.2* SECTION 2043z.** 125.14 (1) of the statutes is amended to read:

12 125.14 (1) ARREST. Any Subject to s. 175.38, any peace officer may arrest
13 without warrant any person committing in his or her presence a violation of this
14 chapter or ch. 139 and may, without a search warrant, seize any personal property
15 used in connection with the violation.

16 ***-0529/4.182* SECTION 2044.** 125.14 (2) (e) of the statutes is amended to read:

17 125.14 (2) (e) *Disposal.* The department shall dispose of the alcohol beverages
18 turned over to it by the court by either giving it to law enforcement agencies free of
19 charge for use in criminal investigations, giving it to state–operated veterans'
20 hospitals in amounts needed for medicinal purposes, selling it to the highest bidder
21 if the bidder is a person holding a license or permit issued under this chapter, or
22 destroying it, at the discretion of the department. If the department elects to sell the
23 alcohol beverages, it shall publish a class 2 notice under ch. 985 asking for sealed bids
24 from qualified bidders. Any items or groups of items in the inventory subject to a
25 security interest, the existence of which was established in the proceedings for

1 conviction as being bona fide and as having been created without the secured party
2 having notice that the items were being used or were to be used in connection with
3 the violation, shall be sold separately. The net proceeds from the sale, less all costs
4 of seizure, storage, and sale, shall be turned over to the ~~state treasurer~~ secretary of
5 administration and credited to the common school fund.

6 ***-0529/4.183* SECTION 2045.** 125.14 (2) (f) of the statutes is amended to read:

7 125.14 (2) (f) *Sale.* Any personal property, other than alcohol beverages, seized
8 under par. (a) and fit for sale, shall be turned over by the department to the
9 department of administration for disposal at public auction to the highest bidder, at
10 a time and place stated in a notice of sale which describes the property to be sold.
11 The sale shall be held in a conveniently accessible place in the county where the
12 property was confiscated. A copy of the notice shall be published as a class 2 notice
13 under ch. 985. The last insertion shall be at least 10 days before the sale. The
14 department of revenue shall serve a copy of the notice of sale at least 2 weeks before
15 the date thereof on all persons who are or may be owners or holders of security
16 interests in the property. Any confiscated property worth more than \$100 shall be
17 sold separately, and the balance of the confiscated property shall be sold in bulk or
18 separately at the discretion of the department of administration. The net proceeds
19 from the sale, less all costs of seizure, storage, and sale, shall be turned over to the
20 ~~state treasurer~~ secretary of administration. No motor vehicle or motorboat
21 confiscated under this section may be sold within 30 days after the date of seizure.

22 ***-1634/7.52* SECTION 2048.** 134.80 of the statutes is amended to read:

23 **134.80 Home heating fuel dealers.** Any dealer selling fuel of any kind for
24 the purpose of heating a private residence shall notify each private residential
25 customer whose account is subject to disconnection of the existence of the fuel

1 assistance programs provided by the department of administration under s. 16.385
2 16.27.

3 ***-1431/2.12* SECTION 2052.** 138.052 (5) (am) 2. a. of the statutes is amended
4 to read:

5 138.052 (5) (am) 2. a. ~~On January 1, 1994, and annually thereafter~~ Annually,
6 the division of banking for banks, ~~the division of savings institutions for savings and~~
7 loan associations, and savings banks, and the office of credit unions for credit unions,
8 shall determine the interest rate that is the average of the interest rates paid,
9 rounded to the nearest one-hundredth of a percent, on regular passbook deposit
10 accounts by institutions under the division's or office's jurisdiction at the close of the
11 last quarterly reporting period that ended at least 30 days before the determination
12 is made.

13 ***-1431/2.13* SECTION 2053.** 138.052 (5) (am) 2. b. of the statutes is amended
14 to read:

15 138.052 (5) (am) 2. b. ~~The office of credit unions and the division of banking~~
16 ~~shall report the rate calculated to the division of savings institutions within~~ Within
17 5 days after the date on which the determination is made. ~~The, the~~ the division of savings
18 institutions banking shall calculate the average, rounded to the nearest
19 one-hundredth of a percent, of the 3 rates determined by the division of banking and
20 the office of credit unions and report that interest rate to the revisor of statutes
21 within 5 days after the date on which the determination is made.

22 ***-1431/2.14* SECTION 2054.** 138.055 (4) (a) of the statutes is repealed.

23 ***-1431/2.15* SECTION 2055.** 138.056 (1) (a) 4. a. of the statutes is repealed.

24 ***-0529/4.184* SECTION 2056.** 139.10 (title) of the statutes is amended to read:

25 **139.10 (title) Refunds by state treasurer secretary of administration.**

1 ***-0529/4.185*** **SECTION 2057.** 139.10 (1) of the statutes is amended to read:

2 139.10 (1) On the certificate of the secretary, the ~~state treasurer~~ secretary of
3 administration shall refund to any purchaser or any banking institution in
4 Wisconsin the tax paid on intoxicating liquor or on whole cases or full kegs of
5 fermented malt beverages which are spoiled or unfit to drink and the tax paid on
6 fermented malt beverages sold to the U.S. armed forces or the secretary may make
7 allowance of the amount of the tax.

8 ***b0347/1.1*** **SECTION 2057m.** 139.323 (intro.) of the statutes is amended to
9 read:

10 **139.323 Refunds to Indian tribes.** (intro.) The department shall refund ~~70%~~
11 30% of the taxes collected under s. 139.31 (1) in respect to sales on reservations or
12 trust lands of an Indian tribe to the tribal council of the tribe having jurisdiction over
13 the reservation or trust land on which the sale is made if all the following conditions
14 are fulfilled:

15 ***b0185/1.1*** **SECTION 2057v.** 139.362 of the statutes is created to read:

16 **139.362 Bad debt deductions.** (1) In this section, “bad debt” means an
17 amount that is equal to the purchase price of cigarettes, if such amount may be
18 claimed as a deduction under section 166 of the Internal Revenue Code. “Bad debt”
19 does not include financing charges, interest on the wholesale price of cigarettes,
20 uncollectible amounts on property that remains in the seller’s possession until the
21 full purchase price is paid, expenses incurred in attempting to collect any debt, debts
22 sold or assigned to 3rd parties for collection, and repossessed property.

23 (2) A person who pays the taxes imposed under this subchapter may claim as
24 a deduction on a return under s. 139.38, and against the purchase of stamps under
25 s. 139.32, the amount of any such taxes that are attributable to bad debt that the

1 person writes off as uncollectible in the person's books and records and that is eligible
2 to be deducted as bad debt for federal income tax purposes, regardless of whether the
3 person is required to file a federal income tax return. A person who claims a
4 deduction under this section shall claim the deduction on the return under s. 139.38
5 that is submitted for the period in which the person writes off the amount of the bad
6 debt as uncollectible in the person's books and records and in which such amount is
7 eligible to be deducted as bad debt for federal income tax purposes. If the person
8 subsequently collects in whole or in part any bad debt for which a deduction is
9 claimed under this section, the person shall submit to the department the portion of
10 the deduction related to the amount collected, in the manner prescribed by the
11 department and for the period in which the amount is collected.

12 (3) A person who claims a deduction under this section shall submit the claim
13 on a form prescribed by the department and shall submit with the form all of the
14 following:

15 (a) A copy of the original invoice for the sale of cigarettes that represents bad
16 debt.

17 (b) Evidence that the cigarettes described in the invoice under par. (a) were
18 delivered to the person who ordered them.

19 (c) Evidence that the person who ordered and received the cigarettes did not
20 pay the person who claims a deduction under this section for the cigarettes.

21 (d) Evidence that the person who claims a deduction under this section used
22 reasonable collection practices in attempting to collect the amount owed under par.
23 (c).

24 *–0529/4.186* SECTION 2058. 139.39 (4) of the statutes is amended to read:

1 139.39 (4) No suit shall be maintained in any court to restrain or delay the
2 collection or payment of the tax levied in s. 139.31. The aggrieved taxpayer shall pay
3 the tax when due and, if paid under protest, may at any time within 90 days from the
4 date of payment, sue the state to recover the tax paid. If it is finally determined that
5 any part of the tax was wrongfully collected, the ~~department~~ secretary of
6 administration shall ~~issue a warrant on the state treasurer for pay~~ the amount
7 wrongfully collected, ~~and the treasurer shall pay the same out of the general fund.~~
8 A separate suit need not be filed for each separate payment made by any taxpayer,
9 but a recovery may be had in one suit for as many payments as may have been made.

10 ***b0185/1.2* SECTION 2058f.** 139.801 of the statutes is created to read:

11 **139.801 Bad debt deductions.** (1) In this section, “bad debt” means an
12 amount that is equal to the purchase price of tobacco products, if such amount may
13 be claimed as a deduction under section 166 of the Internal Revenue Code. “Bad
14 debt” does not include financing charges, interest on the wholesale price of tobacco
15 products, uncollectible amounts on property that remains in the seller’s possession
16 until the full purchase price is paid, expenses incurred in attempting to collect any
17 debt, debts sold or assigned to 3rd parties for collection, and repossessed property.

18 (2) A distributor who pays the taxes imposed under s. 139.76 may claim as a
19 deduction on a return under s. 139.77 the amount of any such taxes that are
20 attributable to bad debt that the distributor writes off as uncollectible in the
21 distributor’s books and records and that is eligible to be deducted as bad debt for
22 federal income tax purposes, regardless of whether the distributor is required to file
23 a federal income tax return. A distributor who claims a deduction under this section
24 shall claim the deduction on the return under s. 139.77 that is submitted for the
25 period in which the distributor writes off the amount of the deduction as uncollectible

1 in the distributor's books and records and in which such amount is eligible to be
2 deducted as bad debt for federal income tax purposes. If the distributor subsequently
3 collects in whole or in part any bad debt for which a deduction is claimed under this
4 section, the distributor shall include the amount collected in the return filed for the
5 period in which the amount is collected and shall pay the tax with the return.

6 (3) A distributor who claims a deduction under this section shall submit with
7 the return under sub. (2) all of the following:

8 (a) A copy of the original invoice for the sale of tobacco products that represents
9 bad debt.

10 (b) Evidence that the tobacco products described in the invoice under par. (a)
11 were delivered to the person who ordered them.

12 (c) Evidence that the person who ordered and received the cigarettes did not
13 pay the distributor for the tobacco products.

14 (d) Evidence that the distributor used reasonable collection practices in
15 attempting to collect the amount owed under par. (c).

16 *~~1327/1.17~~* SECTION 2059. 146.185 (1) (i) of the statutes is amended to read:

17 146.185 (1) (i) "State agency" has the meaning given in s. 16.70 (1) (1e).

18 *b0348/2.1* SECTION 2059g. 146.185 (3) of the statutes is amended to read:

19 146.185 (3) From the appropriation under s. 20.435 (5) (kb), the department
20 shall annually award ~~up to \$200,000 in~~ grants for activities to improve the health
21 status of economically disadvantaged minority group members. A person may apply,
22 in the manner specified by the department, for a grant of up to \$50,000 in each fiscal
23 year to conduct these activities. An awardee of a grant under this subsection shall
24 provide, for at least 50% of the grant amount, matching funds that may consist of
25 funding or an in-kind contribution. An applicant that is not a federally qualified

1 health center, as defined under 42 CFR 405.2401 (b) shall receive priority for grants
2 awarded under this subsection.

3 ~~*-0576/8.71*~~ SECTION 2060. 146.59 (3) (b) of the statutes is amended to read:

4 146.59 (3) (b) Any authorization under par. (a) shall comply with all applicable
5 provisions of subch. V of ch. 111 and ch. 230, any delegation of authority by the
6 ~~department of employment relations~~ office of state human resources management
7 to the board, and any collective bargaining agreement with respect to employees of
8 the board.

9 ~~*-0733/3.1*~~ SECTION 2061. 146.65 (1) (a) and (b) of the statutes are amended
10 to read:

11 146.65 (1) (a) ~~In state fiscal year 2001–02, not more than \$618,000 and in fiscal~~
12 ~~year 2002–03~~ each fiscal year, not more than \$232,000, to the rural health dental
13 clinic located in Ladysmith that provides dental services to persons who are
14 developmentally disabled or elderly or who have low income, in the counties of Rusk,
15 Price, Taylor, Sawyer, and Chippewa.

16 (b) ~~In fiscal year 2001–02, not more than \$294,500 and in state fiscal year~~
17 ~~2002–03~~ each fiscal year, not more than \$355,600, to the rural health dental clinic
18 located in Menomonie that provides dental services to persons who are
19 developmentally disabled or elderly or who have low income, in the counties of
20 Barron, Chippewa, Dunn, Pepin, Pierce, Polk, and St. Croix.

21 ~~*b0196/1.2*~~ SECTION 2061s. 146.885 of the statutes is repealed.

22 ~~*-1760/2.19*~~ SECTION 2062. 146.93 of the statutes is repealed.

23 ~~*-1295/2.27*~~ SECTION 2064. 146.997 (4) (a) of the statutes is amended to read:

24 146.997 (4) (a) ~~Subject to par. (b), any~~ Any employee of a health care facility
25 or health care provider who is subjected to disciplinary action, or who is threatened

1 with disciplinary action, in violation of sub. (3) may file a complaint with the
2 department under s. 106.54 (6). If the department finds that a violation of sub. (3)
3 has been committed, the department may take such action under s. 111.39 as will
4 effectuate the purpose of this section.

5 ***-1295/2.28* SECTION 2065.** 146.997 (4) (b) of the statutes is repealed.

6 ***-1295/2.29* SECTION 2066.** 146.997 (4) (c) of the statutes is amended to read:

7 146.997 (4) (c) Section 111.322 (2m) applies to a disciplinary action arising in
8 connection with any proceeding under par. (a) ~~or (b)~~.

9 ***-0133/1.1* SECTION 2067.** 149.10 (8b) of the statutes is repealed.

10 ***-1300/1.6* SECTION 2068.** 149.14 (5) (e) of the statutes is amended to read:

11 149.14 (5) (e) Subject to sub. (8) (b), the department may, by rule under s. 149.17
12 (4), establish for prescription drug coverage under sub. (3) (d) copayment amounts,
13 coinsurance rates, and copayment and coinsurance out-of-pocket limits over which
14 the plan will pay 100% of covered costs under sub. (3) (d). The department may
15 provide subsidies for prescription drug copayment amounts paid by eligible persons
16 under s. 149.165 (2) (a) 1. to 5. Any copayment amount, coinsurance rate, or
17 out-of-pocket limit established under this paragraph is subject to the approval of the
18 board. Copayments and coinsurance paid by an eligible person under this paragraph
19 are separate from and do not count toward the deductible and covered costs not paid
20 by the plan under pars. (a) to (c).

21 ***-1300/1.7* SECTION 2069.** 149.143 (1) (a) of the statutes is repealed.

22 ***-1300/1.8* SECTION 2070.** 149.143 (1) (b) (intro.) of the statutes is repealed.

23 ***-1300/1.9* SECTION 2071.** 149.143 (1) (b) 1. of the statutes is renumbered
24 149.143 (1) (am), and 149.143 (1) (am) 1., 2., 3. and 4., as renumbered, are amended
25 to read:

1 149.143 (1) (am) 1. First, from premiums from eligible persons with coverage
2 under s. 149.14 (2) (a) set at a rate that is 140% to 150% of the rate that a standard
3 risk would be charged under an individual policy providing substantially the same
4 coverage and deductibles as are provided under the plan and from eligible persons
5 with coverage under s. 149.14 (2) (b) set in accordance with s. 149.14 (5m), including
6 amounts received for premium ~~and, deductible, and prescription drug copayment~~
7 subsidies under s. 149.144 ~~and under the transfer to the fund from the appropriation~~
8 ~~account under s. 20.435 (4) (ah)~~, and from premiums collected from eligible persons
9 with coverage under s. 149.146 set in accordance with s. 149.146 (2) (b).

10 2. Second, from moneys specified under sub. (2m), to the extent that the
11 amounts under subd. 1. ~~a.~~ are insufficient to pay 60% of plan costs.

12 3. Third, by increasing premiums from eligible persons with coverage under s.
13 149.14 (2) (a) to more than the rate at which premiums were set under subd. 1. ~~a.~~
14 but not more than 200% of the rate that a standard risk would be charged under an
15 individual policy providing substantially the same coverage and deductibles as are
16 provided under the plan and from eligible persons with coverage under s. 149.14 (2)
17 (b) by a comparable amount in accordance with s. 149.14 (5m), including amounts
18 received for premium ~~and, deductible, and prescription drug copayment~~ subsidies
19 under s. 149.144 ~~and under the transfer to the fund from the appropriation account~~
20 ~~under s. 20.435 (4) (ah)~~, and by increasing premiums from eligible persons with
21 coverage under s. 149.146 in accordance with s. 149.146 (2) (b), to the extent that the
22 amounts under subd. 1. ~~a.~~ subds. 1. and b. 2. are insufficient to pay 60% of plan costs.

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

1 under s. 149.144, in equal proportions and to the extent that the amounts under
2 ~~subd. 1. a. to e.~~ subds. 1. to 3. are insufficient to pay 60% of plan costs.

3 ***-1300/1.10* SECTION 2072.** 149.143 (1) (b) 2. of the statutes is renumbered
4 149.143 (1) (bm).

5 ***-1300/1.11* SECTION 2073.** 149.143 (2) (a) (intro.) of the statutes is amended
6 to read:

7 149.143 (2) (a) (intro.) Prior to each plan year, the department shall estimate
8 the operating and administrative costs of the plan and the costs of the premium
9 reductions under s. 149.165 and, the deductible reductions under s. 149.14 (5) (a),
10 and any prescription drug copayment reductions under s. 149.14 (5) (e) for the new
11 plan year and do all of the following:

12 ***-1300/1.12* SECTION 2074.** 149.143 (2) (a) 1. a. of the statutes is amended to
13 read:

14 149.143 (2) (a) 1. a. Estimate the amount of enrollee premiums that would be
15 received in the new plan year if the enrollee premiums were set at a level sufficient,
16 when including amounts received for premium and, deductible, and prescription
17 drug copayment subsidies under s. 149.144 ~~and under the transfer to the fund from~~
18 ~~the appropriation account under s. 20.435 (4) (ah)~~ and from premiums collected from
19 eligible persons with coverage under s. 149.146 set in accordance with s. 149.146 (2)
20 (b), to cover 60% of the estimated plan costs for the new plan year, ~~after deducting~~
21 ~~from the estimated plan costs the amount available for transfer to the fund from the~~
22 ~~appropriation account under s. 20.435 (4) (af) for that plan year.~~

23 ***-1300/1.13* SECTION 2075.** 149.143 (2) (a) 1. b. of the statutes is amended to
24 read:

1 149.143 (2) (a) 1. b. Estimate the amount of enrollee premiums that will be
2 received under sub. (1) ~~(b) 1. a.~~ (am) 1.

3 *~~1300/1.14~~* SECTION 2076. 149.143 (2) (a) 2. of the statutes is amended to
4 read:

5 149.143 (2) (a) 2. After making the determinations under subd. 1., by rule set
6 premium rates for the new plan year, including the rates under s. 149.146 (2) (b), in
7 the manner specified in sub. (1) ~~(b) 1. a. and c.~~ (am) 1. and 3. and such that a rate for
8 coverage under s. 149.14 (2) (a) is approved by the board and is not less than 140%
9 nor more than 200% of the rate that a standard risk would be charged under an
10 individual policy providing substantially the same coverage and deductibles as are
11 provided under the plan.

12 *~~1300/1.15~~* SECTION 2077. 149.143 (2) (a) 3. of the statutes is amended to
13 read:

14 149.143 (2) (a) 3. By rule set the total insurer assessments under s. 149.13 for
15 the new plan year by estimating and setting the assessments at the amount
16 necessary to equal the amounts specified in sub. (1) ~~(b) 1. d. and 2. a.~~ (am) 4. and (bm)
17 1. and notify the commissioner of the amount.

18 *~~1300/1.16~~* SECTION 2078. 149.143 (2) (a) 4. of the statutes is amended to
19 read:

20 149.143 (2) (a) 4. By the same rule as under subd. 3. adjust the provider
21 payment rate for the new plan year, subject to s. 149.142 (1) (b), by estimating and
22 setting the rate at the level necessary to equal the amounts specified in sub. (1) ~~(b)~~
23 ~~1. d. and 2. b.~~ (am) 4. and (bm) 2. and as provided in s. 149.145.

24 *~~1300/1.17~~* SECTION 2079. 149.143 (2) (b) of the statutes is amended to read:

1 149.143 (2) (b) In setting the premium rates under par. (a) 2., the insurer
2 assessment amount under par. (a) 3. and the provider payment rate under par. (a)
3 4. for the new plan year, the department shall include any increase or decrease
4 necessary to reflect the amount, if any, by which the rates and amount set under par.
5 (a) for the current plan year differed from the rates and amount which would have
6 equaled the amounts specified in sub. (1) ~~(b)~~ (am) and (bm) in the current plan year.

7 *~~1300/1.18~~* SECTION 2080. 149.143 (2m) (a) 1. of the statutes is amended to
8 read:

9 149.143 (2m) (a) 1. The amount of premiums received in a plan year from all
10 eligible persons, including amounts received for premium ~~and~~, deductible, and
11 prescription drug copayment subsidies.

12 *~~1300/1.19~~* SECTION 2081. 149.143 (2m) (a) 2. of the statutes is amended to
13 read:

14 149.143 (2m) (a) 2. The amount of premiums, including amounts received for
15 premium ~~and~~, deductible, and prescription drug copayment subsidies, necessary to
16 cover 60% of the plan costs for the plan year, ~~after deducting the amount transferred~~
17 ~~to the fund from the appropriation account under s. 20.435 (4) (af).~~

18 *~~1300/1.20~~* SECTION 2082. 149.143 (2m) (b) 1. of the statutes is amended to
19 read:

20 149.143 (2m) (b) 1. To reduce premiums in succeeding plan years as provided
21 in sub. (1) ~~(b) 1. b.~~ (am) 2. For eligible persons with coverage under s. 149.14 (2) (a),
22 premiums may not be reduced below 140% of the rate that a standard risk would be
23 charged under an individual policy providing substantially the same coverage and
24 deductibles as are provided under the plan.

25 *~~1300/1.21~~* SECTION 2083. 149.143 (3) (a) of the statutes is amended to read:

1 149.143 (3) (a) If, during a plan year, the department determines that the
2 amounts estimated to be received as a result of the rates and amount set under sub.
3 (2) (a) 2. to 4. and any adjustments in insurer assessments and the provider payment
4 rate under s. 149.144 will not be sufficient to cover plan costs, the department may
5 by rule increase the premium rates set under sub. (2) (a) 2. for the remainder of the
6 plan year, subject to s. 149.146 (2) (b) and the maximum specified in sub. (2) (a) 2.,
7 by rule increase the assessments set under sub. (2) (a) 3. for the remainder of the plan
8 year, subject to sub. (1) (b) ~~2. a.~~ (bm) 1., and by the same rule under which
9 assessments are increased adjust the provider payment rate set under sub. (2) (a) 4.
10 for the remainder of the plan year, subject to sub. (1) (b) ~~2. b.~~ (bm) 2. and s. 149.142
11 (1) (b).

12 *~~1300/1.22~~* SECTION 2084. 149.143 (3) (b) of the statutes is amended to read:

13 149.143 (3) (b) If the department increases premium rates and insurer
14 assessments and adjusts the provider payment rate under par. (a) and determines
15 that there will still be a deficit and that premium rates have been increased to the
16 maximum extent allowable under par. (a), the department may further adjust, in
17 equal proportions, assessments set under sub. (2) (a) 3. and the provider payment
18 rate set under sub. (2) (a) 4., without regard to sub. (1) (b) ~~2.~~ (bm) but subject to s.
19 149.142 (1) (b).

20 *~~1300/1.23~~* SECTION 2085. 149.144 of the statutes is amended to read:

21 **149.144 Adjustments to insurer assessments and provider payment**
22 **rates for premium and, deductible, and prescription drug copayment**
23 **reductions.** ~~If the moneys transferred to the fund under the appropriation under~~
24 ~~s. 20.435 (4) (ah) are insufficient to reimburse the plan for premium reductions under~~
25 ~~s. 149.165 and deductible reductions under s. 149.14 (5) (a), or the department~~

1 ~~determines that the moneys transferred or to be transferred to the fund under the~~
2 ~~appropriation under s. 20.435 (4) (ah) will be insufficient to reimburse the plan for~~
3 ~~premium reductions under s. 149.165 and deductible reductions under s. 149.14 (5)~~
4 ~~(a), the~~ The department may shall, by rule, adjust in equal proportions the amount
5 of the assessment set under s. 149.143 (2) (a) 3. and the provider payment rate set
6 under s. 149.143 (2) (a) 4., subject to ss. 149.142 (1) (b) and 149.143 (1) ~~(b) 1.~~ (am),
7 sufficient to reimburse the plan for premium reductions under s. 149.165 and,
8 deductible reductions under s. 149.14 (5) (a). ~~If the department makes the~~
9 ~~adjustment under this section, the, and any prescription drug copayment reductions~~
10 under s. 149.14 (5) (e). The department shall notify the commissioner so that the
11 commissioner may levy any increase in insurer assessments.

12 *–1300/1.24* SECTION 2086. 149.145 of the statutes is amended to read:

13 **149.145 Program budget.** The department, in consultation with the board,
14 shall establish a program budget for each plan year. The program budget shall be
15 based on the provider payment rates specified in s. 149.142 and in the most recent
16 provider contracts that are in effect and on the funding sources specified in s. ~~ss.~~
17 149.143 (1) and 149.144, including the methodologies specified in ss. 149.143,
18 149.144, and 149.146 for determining premium rates, insurer assessments, and
19 provider payment rates. Except as otherwise provided in s. 149.143 (3) (a) and (b)
20 and subject to s. 149.142 (1) (b), from the program budget the department shall derive
21 the actual provider payment rate for a plan year that reflects the providers'
22 proportional share of the plan costs, consistent with ss. 149.143 and 149.144. The
23 department may not implement a program budget established under this section
24 unless it is approved by the board.

25 *–1300/1.25* SECTION 2087. 149.146 (2) (a) of the statutes is amended to read:

1 149.146 (2) (a) Except as specified by the department, the terms of coverage
2 under s. 149.14, including deductible reductions under s. 149.14 (5) (a) and
3 prescription drug copayment reductions under s. 149.14 (5) (e), do not apply to the
4 coverage offered under this section. Premium reductions under s. 149.165 do not
5 apply to the coverage offered under this section.

6 ***-0133/1.2*** SECTION 2088. 149.16 (1) of the statutes is repealed.

7 ***-0133/1.3*** SECTION 2089. 149.16 (1m) of the statutes is created to read:

8 149.16 (1m) The plan administrator may be selected by the department in a
9 competitive bidding process.

10 ***-0133/1.4*** SECTION 2090. 149.16 (4) of the statutes is amended to read:

11 149.16 (4) ~~The~~ If the plan administrator is the fiscal agent under s. 49.45 (2)
12 (b) 2., the plan administrator shall account for costs related to the plan separately
13 from costs related to medical assistance under subch. IV of ch. 49.

14 ***-1300/1.26*** SECTION 2091. 149.165 (4) of the statutes is amended to read:

15 149.165 (4) The department shall reimburse the plan for premium reductions
16 under sub. (2) ~~and~~, deductible reductions under s. 149.14 (5) (a) ~~with moneys~~
17 transferred to the fund, and prescription drug copayment reductions under s. 149.14
18 (5) (e) from the appropriation account under s. 20.435 (4) (ah) (v).

19 ***-0529/4.187*** SECTION 2092. 150.963 (3) (e) of the statutes is amended to read:

20 150.963 (3) (e) Accept on behalf of the state and deposit with the ~~state treasurer~~
21 secretary of administration any grant, gift, or contribution made to assist in meeting
22 the cost of carrying out the purposes of this subchapter, and expend those funds for
23 the purposes of this subchapter.

24 ***b0146/2.8*** SECTION 2092c. 153.01 (4j) of the statutes is created to read:

1 153.01 (4j) “Entity” means a nonstock corporation organized under ch. 181 that
2 is described in section 501 (c) (6) of the Internal Revenue Code and is exempt from
3 federal income tax under section 501 (a) of the Internal Revenue Code, and that does
4 all of the following:

5 (a) Represents at least 70% of the hospitals in Wisconsin.

6 (b) Receives oversight with respect to services performed by the entity under
7 this chapter from a group that is composed of all of the following:

8 1. The secretary of health and family services, who shall serve as chairperson
9 and nonvoting member of the group.

10 2. Two members designated by Wisconsin Manufacturers and Commerce, Inc.

11 3. Two members designated by the Wisconsin Association of Health Plans, Inc.

12 4. One member designated by the Wisconsin State AFL–CIO.

13 5. Two members designated by the Wisconsin Hospital Association, Inc.

14 6. One member designated by the speaker of the assembly.

15 7. One member designated by the senate majority leader.

16 ***b0146/2.8* SECTION 2092d.** 153.05 (1) of the statutes is amended to read:

17 153.05 (1) In order to provide to ~~hospitals,~~ health care providers, insurers,
18 consumers, governmental agencies and others information concerning health care
19 providers and uncompensated health care services, and in order to provide
20 information to assist in peer review for the purpose of quality assurance, ~~the:~~

21 (a) The department shall collect from health care providers other than
22 hospitals and ambulatory surgery centers, analyze, and disseminate health care
23 information, as adjusted for case mix and severity, in language that is
24 understandable to ~~lay persons~~ laypersons.

25 ***b0146/2.8* SECTION 2092e.** 153.05 (1) (b) of the statutes is created to read:

1 153.05 (1) (b) The entity under contract under sub. (2m) (a) shall collect from
2 hospitals and ambulatory surgery centers the health care information required of
3 hospitals and ambulatory surgery centers by the department under ch. 153, 2001
4 stats., and the rules promulgated under ch. 153, 2001 stats., including, by the date
5 that is 18 months after the date of the contract under sub. (2m) (a), all outpatient
6 hospital-based services. The entity shall analyze and disseminate that health care
7 information, as adjusted for case mix and severity, in the manner required under this
8 chapter, under ch. 153, 2001 stats., and under the rules promulgated under ch. 153,
9 2001 stats., and in language that is understandable to laypersons.

10 ***b0146/2.8* SECTION 2092f.** 153.05 (2m) of the statutes is created to read:

11 153.05 (2m) (a) Notwithstanding s. 16.75 (1), (2), and (3m), by the date that is
12 the first day of the 2nd month after the effective date of this paragraph [revisor
13 inserts date], the department of administration shall, from the appropriation under
14 s. 20.505 (1) (im), contract with an entity to perform services under this chapter that
15 are specified for the entity with respect to the collection, analysis, and dissemination
16 of health care information of hospitals and ambulatory surgery centers. The
17 department of administration may not, by this contract, require from the entity any
18 collection, analysis, or dissemination of health care information of hospitals and
19 ambulatory surgery centers that is in addition to that required under this chapter,
20 and may include in the contract only terms standard to contracts with the
21 department of administration under subch. IV of ch. 16.

22 (b) Biennially, the group specified under s. 153.01 (4j) (b) shall review the
23 entity's performance, including the timeliness and quality of the reports generated
24 by the entity. If the group is dissatisfied with the entity's performance, the group may
25 recommend to the department of administration that that department use a

1 competitive request-for-proposal process to solicit offers from other organizations
2 for performance of the services. If no organization responds to the request for
3 proposal, the department of health and family services shall perform the services
4 specified for the entity with respect to the collection, analysis, and dissemination of
5 health care information of hospitals and ambulatory surgery centers under this
6 chapter.

7 (c) By April 1, 2004, and annually thereafter, the secretary of health and family
8 services, as chairperson of the group specified under s. 153.01 (4j) (b), shall submit
9 to the chief clerk of each house of the legislature for distribution to the legislature
10 under s. 13.172 (2), a report concerning the content and number of reports and
11 currency of information and reports generated in the previous calendar year by the
12 entity under contract under s. 153.05 (2m).

13 *b0146/2.8* SECTION 2092g. 153.05 (3) of the statutes is renumbered 153.05
14 (3) (a) and amended to read:

15 153.05 (3) (a) Upon request of the department for health care information
16 relating to health care providers other than hospitals and ambulatory surgery
17 centers, state agencies shall provide that health care information to the department
18 for use in preparing reports under this chapter.

19 *b0146/2.8* SECTION 2092h. 153.05 (3) (b) of the statutes is created to read:

20 153.05 (3) (b) Upon request of the entity under contract under sub. (2m) (a) for
21 health care information relating to hospitals and ambulatory surgery centers, state
22 agencies shall provide that health care information to the entity for use in preparing
23 reports under this chapter.

24 *b0146/2.8* SECTION 2092i. 153.05 (5) of the statutes is renumbered 153.05
25 (5) (a) and amended to read:

1 153.05 (5) (a) Unless sub. (13) (a) applies, the department may require health
2 care providers other than hospitals and ambulatory surgery centers to submit to the
3 department information specified by rule under s. 153.75 (1) (n) for the preparation
4 of reports, plans, and recommendations in the form specified by the department by
5 rule.

6 ***b0146/2.8* SECTION 2092j.** 153.05 (5) (b) of the statutes is created to read:

7 153.05 (5) (b) Unless sub. (13) (b) applies, the entity under contract under sub.
8 (2m) (a) may require hospitals and ambulatory surgery centers to submit to the
9 entity information for the preparation of reports, plans, and recommendations in the
10 form specified by the entity.

11 ***b0146/2.8* SECTION 2092k.** 153.05 (6) of the statutes is amended to read:

12 153.05 (6) The department may contract with a public or private entity
13 organization that is not a major purchaser, payer or provider of health care services
14 in this state for the provision of data processing services for the collection, analysis
15 and dissemination of health care information under sub. (1) (a).

16 ***b0146/2.8* SECTION 2092L.** 153.05 (6r) of the statutes is amended to read:

17 153.05 (6r) The department shall study and, based on the results of the study,
18 may develop and implement a voluntary system of health care plan reporting that
19 enables purchasers and consumers to assess the performance of health care plans
20 and the health care providers, other than hospitals and ambulatory surgery centers,
21 that are employed or reimbursed by the health care plans. The department shall
22 undertake the study and any development and implementation in cooperation with
23 private health care purchasers, the board, the department of employee trust funds,
24 the office of the commissioner of insurance, the interagency coordinating council
25 created under s. 15.107 (7), major associations of health care providers, health care

1 plans and consumers. If implemented, the department shall operate the system in
2 a manner so as to enable purchasers, consumers, the public, the governor and
3 legislators to assess the performance of health care plans and health care providers
4 other than hospitals and ambulatory surgery centers.

5 *b0146/2.9* SECTION 2093bg. 153.05 (8) of the statutes is renumbered 153.05
6 (8) (a) and amended to read:

7 153.05 (8) (a) Unless sub. (13) (a) applies, the department shall collect, analyze
8 and disseminate, in language that is understandable to ~~lay persons~~ laypersons,
9 claims information and other health care information, as adjusted for case mix and
10 severity, under the provisions of this chapter, as determined by rules promulgated
11 by the department, from health care providers, other than hospitals and ambulatory
12 surgery centers, specified by rules promulgated by the department. Data from those
13 health care providers may be obtained through sampling techniques in lieu of
14 collection of data on all patient encounters and data collection procedures shall
15 minimize unnecessary duplication and administrative burdens. If the department
16 collects ~~health care provider-specific data from health care plans~~ data that is specific
17 to health care providers other than hospitals and ambulatory surgery centers, the
18 department shall attempt to avoid collecting the same data from those health care
19 providers.

20 *b0146/2.9* SECTION 2093bh. 153.05 (8) (b) of the statutes is created to read:

21 153.05 (8) (b) Unless sub. (13) (b) applies, the entity under contract under sub.
22 (2m) (a) shall collect, analyze, and disseminate, in language that is understandable
23 to laypersons, claims information and other health care information, as adjusted for
24 case mix and severity, under the provisions of this chapter, from hospitals and
25 ambulatory surgery centers. Data from hospitals and ambulatory surgery centers

1 may be obtained through sampling techniques in lieu of collection of data on all
2 patient encounters, and data collection procedures shall minimize unnecessary
3 duplication and administrative burdens.

4 *b0146/2.9* SECTION 2093c. 153.05 (9) of the statutes is renumbered 153.05
5 (9) (a) and amended to read:

6 153.05 (9) (a) The department shall provide orientation and training to health
7 care providers, other than hospitals and ambulatory surgery centers, who submit
8 data under this chapter, to explain the process of data collection and analysis and the
9 procedures for data verification, comment, interpretation, and release.

10 *b0146/2.9* SECTION 2093d. 153.05 (9) (b) of the statutes is created to read:

11 153.05 (9) (b) The entity under contract under sub. (2m) (a) shall provide
12 orientation and training to hospitals and ambulatory surgery centers that submit
13 data under this chapter, to explain the process of data collection and analysis and the
14 procedures for data verification, comment, interpretation, and release.

15 *b0146/2.9* SECTION 2093e. 153.05 (12) of the statutes is renumbered 153.05
16 (12) (a).

17 *b0146/2.9* SECTION 2093f. 153.05 (12) (b) of the statutes is created to read:

18 153.05 (12) (b) The entity under contract under sub. (2m) (a) shall, to the extent
19 possible and upon request, assist members of the public in interpreting data in
20 health care information disseminated by the entity.

21 *b0146/2.9* SECTION 2094c. 153.05 (13) of the statutes is renumbered 153.05
22 (13) (a) and amended to read:

23 153.05 (13) (a) The department may waive the requirement under sub. (1) (a),
24 (5) (a), or (8) (a) for a health care provider, other than a hospital or ambulatory
25 surgery center, who requests the waiver and presents evidence to the department

1 that the requirement under sub. (1) (a), (5) (a), or (8) (a) is burdensome, under
2 standards established by the department by rule. The department shall develop a
3 form for use by ~~a~~ the health care provider in submitting a request under this
4 subsection paragraph.

5 *b0146/2.9* SECTION 2094d. 153.05 (13) (b) of the statutes is created to read:

6 153.05 (13) (b) The entity under contract under sub. (2m) (a) may waive the
7 requirement under sub. (1) (b), (5) (b), or (8) (b) for a hospital or ambulatory surgery
8 center that requests the waiver and presents evidence to the entity that the
9 requirement under sub. (1) (b), (5) (b), or (8) (b) is burdensome. The entity shall
10 develop a form for use by the hospital or ambulatory surgery center in submitting a
11 request under this paragraph.

12 *b0146/2.9* SECTION 2094e. 153.07 (1) of the statutes is amended to read:

13 153.07 (1) The board shall advise the department with regard to the collection,
14 analysis and dissemination of health care information required of the department
15 by this chapter.

16 *b0146/2.9* SECTION 2094f. 153.07 (4) (b) of the statutes is amended to read:

17 153.07 (4) (b) Provide oversight on the standard reports required of the
18 department under this chapter, including the reports report under ss. 153.20 and s.
19 153.21 (1).

20 *b0146/2.9* SECTION 2094g. 153.07 (4) (c) of the statutes is amended to read:

21 153.07 (4) (c) Develop the overall strategy and direction for implementation of
22 the department's duties and powers under this chapter.

23 *b0146/2.9* SECTION 2094h. 153.08 (5) of the statutes is created to read:

24 153.08 (5) The entity under contract under s. 153.05 (2m) (a) shall annually
25 publish a hospital rate increase report that contains all of the following information:

1 (a) For each hospital that publishes a notice under sub. (4), all of the following:

2 1. The name of the hospital and the city, village, or town in which the hospital
3 is located.

4 2. The date the rate increase is to take effect.

5 3. The annualized percentage rate increase that will result.

6 4. The geographic area of analysis in which the hospital is located.

7 (b) A list of hospitals that have closed since 1993.

8 *b0146/2.9* SECTION 2094i. 153.10 of the statutes is renumbered 153.10 (1)
9 and amended to read:

10 153.10 (1) The department shall prepare, and submit to the governor and the
11 chief clerk of each house of the legislature for distribution to the legislature under
12 s. 13.172 (2), standard reports concerning health care providers other than hospitals
13 and ambulatory surgery centers that the department prepares and shall collect
14 information necessary for preparation of those reports.

15 *b0146/2.9* SECTION 2094j. 153.10 (2) of the statutes is created to read:

16 153.10 (2) The entity under contract under s. 153.05 (2m) (a) shall prepare, and
17 submit to the governor and the chief clerk of each house of the legislature for
18 distribution to the legislature under s. 13.172 (2), standard reports concerning
19 hospitals and ambulatory surgery centers that the entity prepares and shall collect
20 information necessary for preparation of those reports.

21 *b0146/2.9* SECTION 2094k. 153.20 of the statutes is amended to read:

22 **153.20 Uncompensated health care services report.** (1) The department
23 entity under contract under s. 153.05 (2m) (a) shall prepare, and submit to the
24 governor and to the chief clerk of each house of the legislature for distribution to the
25 legislature under s. 13.172 (2), an annual report setting forth the number of patients

1 to whom uncompensated health care services were provided by each hospital and the
2 total charges for the uncompensated health care services provided to the patients for
3 the preceding year, together with the number of patients and the total charges that
4 were projected by the hospital for that year in the plan filed under sub. (2).

5 (2) Every hospital shall file with the ~~department~~ entity under contract under
6 s. 153.05 (2m) (a) an annual plan setting forth the projected number of patients to
7 whom uncompensated health care services will be provided by the hospital and the
8 projected total charges for the uncompensated health care services to be provided to
9 the patients for the ensuing year.

10 *b0146/2.9* SECTION 2094L. 153.21 of the statutes is renumbered 153.21 (1)
11 and amended to read:

12 153.21 (1) The department shall prepare and submit to the governor and to the
13 chief clerk of each house of the legislature for distribution to the legislature under
14 s. 13.172 (2) an annual guide to assist consumers in selecting health care providers
15 other than hospitals and ambulatory surgery centers and health care plans. The
16 guide shall be written in language that is understandable to ~~lay persons~~ laypersons.
17 The department shall widely publicize and distribute the guide to consumers.

18 *b0146/2.9* SECTION 2094m. 153.21 (2) of the statutes is created to read:

19 153.21 (2) The entity under contract under s. 153.05 (2m) (a) shall prepare and
20 submit to the governor and to the chief clerk of each house of the legislature for
21 distribution to the legislature under s. 13.172 (2) an annual guide to assist
22 consumers in selecting hospitals and ambulatory surgery centers. The guide shall
23 be written in language that is understandable to laypersons and shall include data
24 derived from the annual survey of hospitals conducted by the American Hospital

1 Association and the annual hospital fiscal survey. The entity shall widely publicize
2 and distribute the guide to consumers.

3 *b0146/2.9* SECTION 2094n. 153.22 of the statutes is created to read:

4 **153.22 Patient–level data utilization, charge, and quality report. (1)**

5 The entity under contract under s. 153.05 (2m) (a) shall prepare and submit to the
6 governor and to the chief clerk of each house of the legislature for distribution to the
7 legislature under s. 13.172 (2), an annual report that summarizes utilization, charge,
8 and quality data on patients treated by hospitals and ambulatory surgery centers
9 during the most recent calendar year.

10 *b0146/2.9* SECTION 2094q. 153.45 (title) of the statutes is amended to read:

11 **153.45 (title) Release of data by department.**

12 *b0146/2.9* SECTION 2094r. 153.45 (1) (b) 1. of the statutes is renumbered
13 153.46 (1) (b) and amended to read:

14 153.46 (1) (b) For information that is submitted by hospitals or ambulatory
15 surgery centers, public use data files that do not permit the identification of specific
16 patients, employers, or health care providers, ~~as defined by rules promulgated by the~~
17 ~~department.~~ The identification of patients, employers, or health care providers shall
18 be protected by all necessary means, including the deletion of patient identifiers and
19 the use of calculated variables and aggregated variables.

20 *b0146/2.9* SECTION 2094s. 153.45 (1) (b) 2. of the statutes is renumbered
21 153.45 (1) (b), and 153.45 (1) (b) (intro.), as renumbered, is amended to read:

22 153.45 (1) (b) (intro.) For information that is submitted by health care
23 providers other than hospitals or ambulatory surgery centers, public use data files
24 that do not permit the identification of specific patients, employers, or health care
25 providers, as defined by rules promulgated by the department. The identification of

1 patients, employers, or health care providers shall be protected by all necessary
2 means, including the deletion of patient identifiers; the use of calculated variables
3 and aggregated variables; the specification of counties as to residence, rather than
4 zip codes; the use of 5-year categories for age, rather than exact age; not releasing
5 information concerning a patient's race or ethnicity, or dates of admission,
6 discharge, procedures, or visits; and masking sensitive diagnoses and procedures by
7 use of larger diagnostic and procedure categories. Public use data files under this
8 subdivision paragraph may include only the following:

9 *b0146/2.9* SECTION 2094t. 153.45 (1) (c) (intro.) of the statutes is amended
10 to read:

11 153.45 (1) (c) (intro.) Custom-designed reports containing portions of the data
12 under par. (b). Of information submitted by health care providers that are not
13 hospitals or ambulatory surgery centers, requests under this paragraph for data
14 elements other than those available for public use data files under par. (b) 2.,
15 including the patient's month and year of birth, require review and approval by the
16 independent review board before the data elements may be released. Information
17 that contains the name of a health care provider that is not a hospital or ambulatory
18 surgery center may be released only if the independent review board first reviews
19 and approves the release or if the department promulgates rules that specify
20 circumstances under which the independent review board need not review and
21 approve the release. Reports under this paragraph may include the patient's zip code
22 only if at least one of the following applies:

23 *b0146/2.9* SECTION 2094u. 153.45 (2) of the statutes is amended to read:

24 153.45 (2) The department shall provide to other entities agencies or to
25 organizations the data necessary to fulfill their statutory mandates for

1 epidemiological purposes or to minimize the duplicate collection of similar data
2 elements.

3 ***b0146/2.9* SECTION 2094v.** 153.45 (3) of the statutes is amended to read:

4 153.45 (3) The department may, but is not required to, release health care
5 provider-specific and employer-specific data that relates to health care providers
6 other than hospitals and ambulatory surgery centers, except in public use data files
7 as specified under sub. (1) (b), in a manner that is specified in rules promulgated by
8 the department.

9 ***b0146/2.9* SECTION 2094w.** 153.45 (5) of the statutes is amended to read:

10 153.45 (5) The department may not release any health care information that
11 is subject to rules promulgated under s. 153.75 (1) (b) until the verification, comment
12 and review procedures required under those rules have been complied with. Nothing
13 in this subsection prohibits release of ~~health care provider-specific~~ information to
14 the a health care provider that is not a hospital or ambulatory surgery center, to
15 whom the information ~~relates~~ is specific.

16 ***b0146/2.9* SECTION 2094x.** 153.46 of the statutes is created to read:

17 **153.46 Release of data by entity.** (1) After completion of data verification,
18 comment, and review procedures, the entity under contract under s. 153.05 (2m) (a)
19 shall release data, together with comments, if any, in the following forms:

20 (a) Standard reports.

21 (c) Custom-designed reports containing portions of the data under par. (b).

22 Reports under this paragraph may include the patient's zip code only if at least one
23 of the following applies:

24 1. Other potentially identifying data elements are not released.

25 2. Population density is sufficient to mask patient identity.

1 3. Other potentially identifying data elements are grouped to provide
2 population density sufficient to protect identity.

3 4. Multiple years of data elements are added to protect identity.

4 **(1m)** After completion of data verification and review procedures specified
5 under s. 153.01 (4j), the entity may, but is not required to, release special data
6 compilations.

7 **(2)** The entity under contract under s. 153.05 (2m) (a) shall provide to the
8 department and to any other organization or agency the data necessary to fulfill the
9 department's, organization's, or agency's statutory mandates for epidemiological
10 purposes.

11 **(3)** The entity under contract under s. 153.05 (2m) (a) may, but is not required
12 to, release hospital-specific, ambulatory surgery center-specific, and hospital or
13 ambulatory surgery center employer-specific data, except in public use data files as
14 specified under sub. (1) (b).

15 **(4)** The entity under contract under s. 153.05 (2m) (a) shall, as limited by this
16 section and s. 153.50, provide equal access to the data collected and reports
17 generated by the entity to all requesters that pay the fees under s. 153.65 (2).

18 **(5)** The entity under contract under s. 153.05 (2m) (a) shall provide to the
19 department, without charge, claims and provider survey information that is
20 requested by or required to be provided to the department.

21 **(6)** No person who purchases a data compilation or report under s. 153.65 (2)
22 may release or sell the data sets so purchased, except that the department may
23 release data and information as part of reports created by the department.

24 ***b0146/2.9* SECTION 2094y.** 153.50 (3) (intro.) of the statutes is amended to
25 read:

1 153.50 (3) ~~DEPARTMENTAL MEASURES~~ MEASURES TO ENSURE PROTECTION OF PATIENT
2 IDENTITY. (intro.) To ensure that the identity of patients is protected when
3 information obtained by the department or by the entity under contract under s.
4 153.05 (2m) (a) is disseminated, the department and the entity shall do all of the
5 following:

6 ***b0146/2.9* SECTION 2095c.** 153.50 (3) (a) of the statutes is amended to read:

7 153.50 (3) (a) Aggregate any data element category containing small numbers,
8 using. The department, in so doing, shall use procedures that are developed by the
9 department and approved by the board and that follow commonly accepted
10 statistical methodology.

11 ***b0146/2.9* SECTION 2095d.** 153.50 (3) (b) (intro.) of the statutes is amended

12 to read:

13 153.50 (3) (b) (intro.) Remove and destroy all of the following data elements on
14 the uniform patient billing forms that are received by the department or by the entity
15 under the requirements of this chapter:

16 ***b0146/2.9* SECTION 2095e.** 153.50 (3) (b) 7. of the statutes is amended to read:

17 153.50 (3) (b) 7. The patient's account number, after use only as verification of
18 data by the department or by the entity.

19 ***b0146/2.9* SECTION 2095f.** 153.50 (3) (d) of the statutes is amended to read:

20 153.50 (3) (d) Require that a purchaser of data under this chapter sign and have
21 notarized the data use agreement of the department or of the entity specified in par.
22 (c).

23 ***b0146/2.9* SECTION 2095g.** 153.50 (4) (a) 1. of the statutes is renumbered

24 153.50 (4) (a) 1. a.

1 ***b0146/2.9* SECTION 2095h.** 153.50 (4) (a) 1. b. of the statutes is created to
2 read:

3 153.50 (4) (a) 1. b. An agent of the entity under contract under s. 153.05 (2m)
4 (a) who is responsible for the patient–identifiable data of the entity, in order to store
5 the data and ensure the accuracy of the information in the database of the entity.

6 ***b0146/2.9* SECTION 2095i.** 153.50 (4) (a) 2. of the statutes is amended to read:

7 153.50 (4) (a) 2. A health care provider that is not a hospital or ambulatory
8 surgery center or the agent of such a health care provider, to ensure the accuracy of
9 the information in the database of the department, or a health care provider that is
10 a hospital or ambulatory surgery center or the agent of such a health care provider,
11 to ensure the accuracy of the information in the database of the entity under contract
12 under s. 153.05 (2m) (a).

13 ***b0146/2.9* SECTION 2095j.** 153.50 (4) (a) 3. of the statutes is amended to read:

14 153.50 (4) (a) 3. The department, for purposes of epidemiological investigation
15 or, with respect to information from health care providers that are not hospitals or
16 ambulatory surgery centers, to eliminate the need for duplicative databases.

17 ***b0146/2.9* SECTION 2095k.** 153.50 (4) (a) 4. of the statutes is amended to
18 read:

19 153.50 (4) (a) 4. An entity agency or organization that is required by federal
20 or state statute to obtain patient–identifiable data for purposes of epidemiological
21 investigation or to eliminate the need for duplicative databases.

22 ***b0146/2.9* SECTION 2095L.** 153.50 (5) (a) (intro.) of the statutes is amended
23 to read:

24 153.50 (5) (a) (intro.) The department or an entity that is under contract under
25 s. 153.05 (2m) (a) may not release or provide access to patient–identifiable data to

1 a person authorized under sub. (4) (a) unless the authorized person requests the
2 department or entity, in writing, to release the patient-identifiable data. The
3 request shall include all of the following:

4 *b0146/2.9* SECTION 2095m. 153.50 (5) (a) 4. (intro.) of the statutes is
5 amended to read:

6 153.50 (5) (a) 4. (intro.) For an entity agency or organization that is authorized
7 under sub. (4) (a) 4. to receive or have access to patient-identifiable data, evidence,
8 in writing, of all of the following:

9 *b0146/2.9* SECTION 2095n. 153.50 (5) (b) (intro.) of the statutes is amended
10 to read:

11 153.50 (5) (b) (intro.) Upon receipt of a request under par. (a), the department
12 or entity under contract under s. 153.05 (2m) (a), whichever is appropriate, shall, as
13 soon as practicable, comply with the request or notify the requester, in writing, of all
14 of the following:

15 *b0146/2.9* SECTION 2095p. 153.50 (5) (b) 1. of the statutes is amended to
16 read:

17 153.50 (5) (b) 1. That the department or entity is denying the request in whole
18 or in part.

19 *b0146/2.9* SECTION 2095q. 153.50 (6) (a) of the statutes is amended to read:

20 153.50 (6) (a) The department or entity under contract under s. 153.05 (2m) (a)
21 may not require a health care provider submitting health care information under
22 this chapter to include the patient's name, street address or social security number.

23 *b0146/2.9* SECTION 2095rc. 153.60 (1) of the statutes is amended to read:

24 153.60 (1) The department shall, by the first October 1 after the
25 commencement of each fiscal year, estimate the total amount of expenditures under

1 this chapter for the department and the board for that fiscal year for data collection,
2 database development and maintenance, generation of data files and standard
3 reports, orientation and training provided under s. 153.05 (9) (a) and maintaining
4 the board. The department shall assess the estimated total amount for that fiscal
5 year less the estimated total amount to be received for purposes of administration
6 of this chapter under s. 20.435 (4) (hi) during the fiscal year, the unencumbered
7 balance of the amount received for purposes of administration of this chapter under
8 s. 20.435 (4) (hi) from the prior fiscal year and the amount in the appropriation
9 account under s. 20.435 (1) (dg), 1997 stats., for the fiscal year, to health care
10 providers, other than hospitals and ambulatory surgery centers, who are in a class
11 of health care providers from whom the department collects data under this chapter
12 in a manner specified by the department by rule. The department shall obtain
13 approval from the board for the amounts of assessments for health care providers
14 other than hospitals and ambulatory surgery centers. The department shall work
15 together with the department of regulation and licensing to develop a mechanism for
16 collecting assessments from health care providers other than hospitals and
17 ambulatory surgery centers. No health care provider that is not a facility may be
18 assessed under this subsection an amount that exceeds \$75 per fiscal year. ~~Each~~
19 ~~hospital shall pay the assessment on or before December 1.~~ All payments of
20 assessments shall be ~~deposited in~~ credited to the appropriation under s. 20.435 (4)
21 (hg).

22 *b0146/2.9* SECTION 2095rd. 153.65 of the statutes is renumbered 153.65 (1)
23 and amended to read:

24 153.65 (1) The department may, but is not required to, provide, upon request
25 from a person, a data compilation or a special report based on the information

1 collected by the department. The department shall establish user fees for the
2 provision of these compilations or reports, payable by the requester, which shall be
3 sufficient to fund the actual necessary and direct cost of the compilation or report.
4 All moneys collected under this section subsection shall be credited to the
5 appropriation under s. 20.435 (4) (hi).

6 *b0146/2.9* SECTION 2095re. 153.65 (2) of the statutes is created to read:

7 153.65 (2) Beginning January 1, 2004, unless the entity under contract under
8 s. 153.05 (2m) (a) otherwise agrees and except as provided in s. 153.46 (6), the entity
9 has the exclusive right to use and to provide for a fee, upon request from a person,
10 a data compilation or a special report based on the information concerning hospitals
11 and ambulatory surgery centers that is collected by the entity or provided by the
12 department to the entity. Subject to approval by the group specified under s. 153.01
13 (4j) (b), the entity shall establish reasonable and necessary user fees for the provision
14 of a compilation or report, payable by the requester, which shall be sufficient to fund
15 the actual necessary and direct cost of the compilation or report. The entity may
16 retain all user fees paid under this subsection.

17 *b0146/2.9* SECTION 2095rf. 153.75 (1) (a) of the statutes is amended to read:

18 153.75 (1) (a) Providing procedures, for information submitted by health care
19 providers who are not hospitals or ambulatory surgery centers, to ensure the
20 protection of patient confidentiality under s. 153.50.

21 *b0146/2.9* SECTION 2095rg. 153.75 (1) (b) of the statutes is amended to read:

22 153.75 (1) (b) Establishing procedures under which health care providers who
23 are not hospitals or ambulatory surgery centers are permitted to review, verify and
24 comment on information and include the comments with the information.

25 *b0146/2.9* SECTION 2095rh. 153.75 (1) (L) of the statutes is repealed.

1 ***b0146/2.9* SECTION 2095ri.** 153.75 (1) (m) of the statutes is amended to read:

2 153.75 (1) (m) Specifying the classes of health care providers, other than
3 hospitals and ambulatory surgery centers, from whom claims data and other health
4 care information will be collected.

5 ***b0146/2.9* SECTION 2095rj.** 153.75 (1) (n) of the statutes is amended to read:

6 153.75 (1) (n) Specifying the uniform data set of health care information, as
7 adjusted for case mix and severity, to be collected from health care providers other
8 than hospitals and ambulatory surgery centers.

9 ***b0146/2.9* SECTION 2095rk.** 153.75 (1) (p) of the statutes is amended to read:

10 153.75 (1) (p) Specifying the methods for using and disseminating health care
11 data in order for health care providers other than hospitals and ambulatory surgery
12 centers to provide health care that is effective and economically efficient and for
13 consumers and purchasers to make informed decisions in selecting health care plans
14 and health care providers.

15 ***b0146/2.9* SECTION 2095rL.** 153.75 (1) (q) of the statutes is amended to read:

16 153.75 (1) (q) Specifying the information to be provided by the department in
17 the consumer guide under s. 153.21 (1).

18 ***b0146/2.9* SECTION 2095rm.** 153.75 (1) (r) of the statutes is amended to read:

19 153.75 (1) (r) Specifying the standard reports that will be issued by the
20 department in addition to those required in ~~ss. 153.20 and s.~~ 153.21 (1).

21 ***b0146/2.9* SECTION 2095rn.** 153.75 (1) (t) of the statutes is amended to read:

22 153.75 (1) (t) Establishing standards for determining under s. 153.05 (13) (a)
23 if a requirement under s. 153.05 (1) (a), (5) (a), or (8) (a) is burdensome for a health
24 care provider other than a hospital or ambulatory surgery center.

25 ***b0146/2.9* SECTION 2095rp.** 153.75 (1) (u) of the statutes is amended to read:

1 153.75 (1) (u) Specifying the methods for adjusting health care information
2 obtained from health care providers other than hospitals and ambulatory surgery
3 centers for case mix and severity.

4 ***b0146/2.9* SECTION 2095rt.** 153.75 (2) (a) of the statutes is amended to read:

5 153.75 (2) (a) Exempting certain classes of health care providers that are not
6 hospitals or ambulatory surgery centers from providing all or portions of the data
7 required under this chapter.

8 ***-0529/4.188* SECTION 2099.** 165.30 (3) of the statutes is amended to read:

9 165.30 (3) COLLECTION PROCEEDS. (a) All obligations collected by the
10 department of justice under this section shall be paid to the ~~state treasurer~~ secretary
11 of administration and deposited in the appropriate fund.

12 (b) From the amount of obligations collected by the department of justice under
13 this section, the ~~treasurer~~ secretary of administration shall credit an amount equal
14 to the reasonable and necessary expenses incurred by the department of justice
15 related to collecting those obligations to the appropriation account under s. 20.455
16 (1) (gs).

17 ***b0350/2.3* SECTION 2099f.** 165.60 of the statutes is amended to read:

18 **165.60 Law enforcement.** The department of justice is authorized to enforce
19 ss. 101.123 (2), (5), and (8), 944.30, 944.31, 944.33, 944.34, 945.02 (2), 945.03 (1m),
20 and 945.04 (1m) and is invested with the powers conferred by law upon sheriffs and
21 municipal police officers in the performance of those duties. This section does not
22 deprive or relieve sheriffs, constables, and other local police officers of the power and
23 duty to enforce those sections, and those officers shall likewise enforce those sections.

24 ***b0350/2.3* SECTION 2099j.** 165.70 (1) (b) of the statutes is amended to read:

1 165.70 (1) (b) ~~Enforce~~ Except as provided in sub. (1m), enforce chs. 945 and 961
2 and ss. 940.20 (3), 940.201, 941.25 to 941.27, 943.01 (2) (c), 943.011, 943.27, 943.28,
3 943.30, 944.30, 944.31, 944.32, 944.33, 944.34, 946.65, 947.02 (3) and (4), 948.075,
4 and 948.08.

5 ***b0350/2.3* SECTION 2099p.** 165.70 (1m) of the statutes is created to read:

6 165.70 (1m) The department may not investigate violations of or otherwise
7 enforce s. 945.03 (2m) or 945.04 (2m).

8 ***b0350/2.3* SECTION 2099v.** 165.70 (3) of the statutes is amended to read:

9 165.70 (3) It is the intention of this section to give the attorney general
10 responsibility for devising programs to control crime statewide in nature,
11 importance or influence, drugs and narcotics abuse, commercial gambling other than
12 what is described in s. 945.03 (2m) or 945.04 (2m), prostitution, and arson. Nothing
13 herein shall deprive or relieve local peace officers of the power and duty to enforce
14 those provisions enumerated in sub. (1).

15 ***b0526/3.2* SECTION 2099xd.** 165.72 (title) of the statutes is amended to read:

16 165.72 (title) ~~Dangerous weapons in public schools and controlled~~
17 Controlled substances hotline and rewards for controlled substances tips.

18 ***b0526/3.2* SECTION 2099xg.** 165.72 (1) (ad) of the statutes is repealed.

19 ***b0526/3.2* SECTION 2099xm.** 165.72 (2) (c) of the statutes is repealed.

20 ***b0526/3.2* SECTION 2099xs.** 165.72 (2g) of the statutes is repealed.

21 ***b0526/3.2* SECTION 2099xx.** 165.72 (2m) of the statutes is repealed.

22 ***b0526/3.2* SECTION 2099xz.** 165.72 (7) of the statutes is amended to read:

23 165.72 (7) PUBLICITY. ~~From the appropriation under s. 20.455 (2) (a), the~~
24 ~~department shall purchase public information and promotion services regarding the~~
25 ~~toll-free telephone number under sub. (2).~~ The department and any agency

1 ~~providing publicity services under this subsection~~ shall cooperate with the
2 department of public instruction in publicizing, in public schools, the use of the
3 toll-free telephone number under sub. (2).

4 *~~1789/2.1~~* SECTION 2100. 165.755 (1) (a) of the statutes is amended to read:

5 165.755 (1) (a) Except as provided in par. (b), a court shall impose a crime
6 laboratories and drug law enforcement assessment of \$5 ~~\$7~~ if the court imposes a
7 sentence, places a person on probation or imposes a forfeiture for a violation of state
8 law or for a violation of a municipal or county ordinance.

9 *~~0529/4.189~~* SECTION 2101. 165.755 (3) of the statutes is amended to read:

10 165.755 (3) Except as provided in sub. (4), after the court determines the
11 amount due under sub. (1) (a), the clerk of the court shall collect and transmit the
12 amount to the county treasurer under s. 59.40 (2) (m). The county treasurer shall
13 then make payment to the ~~state treasurer~~ secretary of administration under s. 59.25
14 (3) (f) 2.

15 *~~0529/4.190~~* SECTION 2102. 165.755 (4) of the statutes is amended to read:

16 165.755 (4) If a municipal court imposes a forfeiture, after determining the
17 amount due under sub. (1) (a) the court shall collect and transmit such amount to the
18 treasurer of the county, city, town, or village, and that treasurer shall make payment
19 to the ~~state treasurer~~ secretary of administration as provided in s. 66.0114 (1) (bm).

20 *~~0529/4.191~~* SECTION 2103. 165.755 (5) of the statutes is amended to read:

21 165.755 (5) If any deposit of bail is made for a noncriminal offense to which sub.
22 (1) (a) applies, the person making the deposit shall also deposit a sufficient amount
23 to include the assessment prescribed in sub. (1) (a) for forfeited bail. If bail is
24 forfeited, the amount of the assessment under sub. (1) (a) shall be transmitted

1 monthly to the ~~state treasurer~~ secretary of administration under this section. If bail
2 is returned, the assessment shall also be returned.

3 ***-0529/4.192* SECTION 2104.** 165.755 (6) of the statutes is amended to read:

4 165.755 (6) If an inmate in a state prison or a person sentenced to a state prison
5 has not paid the crime laboratories and drug law enforcement assessment under sub.
6 (1) (a), the department shall assess and collect the amount owed from the inmate's
7 wages or other moneys. Any amount collected shall be transmitted to the ~~state~~
8 ~~treasurer~~ secretary of administration.

9 ***-0529/4.193* SECTION 2105.** 165.755 (7) of the statutes is amended to read:

10 165.755 (7) All moneys collected from crime laboratories and drug law
11 enforcement assessments under this section shall be deposited by the ~~state treasurer~~
12 ~~secretary of administration~~ and used as specified in s. 20.455 (2) (kd) and (Lm).

13 ***-1789/2.2* SECTION 2106.** 165.82 (1) (intro.) of the statutes is amended to
14 read:

15 165.82 (1) (intro.) Notwithstanding s. 19.35 (3), the department of justice shall
16 impose the following fees, plus any surcharge required under sub. (1m), for criminal
17 history searches for purposes unrelated to criminal justice or to s. 175.35:

18 ***-1789/2.3* SECTION 2107.** 165.82 (1) (ar) of the statutes is amended to read:

19 165.82 (1) (ar) For each fingerprint card record check requested by a
20 governmental agency or nonprofit organization, \$10 \$15.

21 ***-1789/2.4* SECTION 2108.** 165.82 (1m) of the statutes is created to read:

22 165.82 (1m) The department of justice shall impose a \$5 surcharge if a person
23 requests a paper copy of the results of a criminal history search requested under sub.
24 (1).

25 ***-1782/1.2* SECTION 2111.** 166.03 (1) (b) 7. of the statutes is repealed.

1 ***b0136/1.4* SECTION 2111g.** 166.03 (2) (a) 7. of the statutes is created to read:
2 166.03 (2) (a) 7. Apply for contracts and receive and expend any moneys or
3 grant from the federal government related to homeland security. Before the adjutant
4 general expends any moneys or grant under this subdivision, the adjutant general
5 shall notify the joint committee on finance in writing of the proposed action. If the
6 cochairpersons of the committee do not notify the adjutant general that the
7 committee has scheduled a meeting for the purpose of reviewing the proposed
8 expenditure within 14 working days after the date of the adjutant general's
9 notification, the expenditure may be completed. If, within 14 working days after the
10 date of the adjutant general's notification, the cochairpersons of the committee notify
11 the adjutant general that the committee has scheduled a meeting for the purpose of
12 reviewing the proposed expenditure, the expenditure may be completed under this
13 subdivision only upon approval of the committee.

14 ***b0136/1.4* SECTION 2111j.** 166.03 (2) (a) 8. of the statutes is created to read:
15 166.03 (2) (a) 8. Administer the federal homeland security programs using the
16 funds received under s. 20.465 (3) (mg).

17 ***-1782/1.3* SECTION 2112.** 166.03 (2) (b) 9. of the statutes is repealed.

18 ***-0350/2.2* SECTION 2113.** 166.03 (8) (f) of the statutes is amended to read:
19 166.03 (8) (f) If the total liability for worker's compensation benefits under par.
20 (d), indemnification under par. (e), and loss from destruction of equipment under sub.
21 (9), incurred in any calendar year exceeds \$1 per capita of the sponsor's population,
22 the state shall reimburse the sponsor for the excess, except that if any additional
23 costs are incurred in a future calendar year for an injury that occurred in the
24 calendar year the state shall pay all of those additional costs. Payment shall be made
25 from the appropriation in s. 20.465 (3) (a) on certificate of the adjutant general.

1 ***-0529/4.194*** SECTION 2114. 167.31 (5) (c) of the statutes is amended to read:

2 167.31 (5) (c) If any deposit is made for an offense to which this subsection
3 applies, the person making the deposit shall also deposit a sufficient amount to
4 include the weapons assessment under this subsection. If the deposit is forfeited, the
5 amount of the weapons assessment shall be transmitted to the ~~state treasurer~~
6 secretary of administration under par. (d). If the deposit is returned, the amount of
7 the weapons assessment shall also be returned.

8 ***-0529/4.195*** SECTION 2115. 167.31 (5) (d) of the statutes is amended to read:

9 167.31 (5) (d) The clerk of the circuit court shall collect and transmit to the
10 county treasurer the weapons assessment as required under s. 59.40 (2) (m). The
11 county treasurer shall then pay the state treasurer as provided in s. 59.25 (3) (f) 2.
12 The ~~state treasurer~~ secretary of administration shall deposit all amounts received
13 under this paragraph in the conservation fund to be appropriated under s. 20.370 (3)
14 (mu).

15 ***-0529/4.196*** SECTION 2116. 169.46 (1) (c) of the statutes is amended to read:

16 169.46 (1) (c) If any deposit is made for an offense to which this subsection
17 applies, the person making the deposit shall also deposit a sufficient amount to
18 include the natural resources assessment prescribed in this subsection. If the
19 deposit is forfeited, the amount of the natural resources assessment shall be
20 transmitted to the ~~state treasurer~~ secretary of administration under par. (d). If the
21 deposit is returned, the natural resources assessment shall also be returned.

22 ***-0529/4.197*** SECTION 2117. 169.46 (1) (d) of the statutes is amended to read:

23 169.46 (1) (d) The clerk of the court shall collect and transmit to the county
24 treasurer the natural resources assessment and other amounts required under s.
25 59.40 (2) (m). The county treasurer shall then make payment to the ~~state treasurer~~

1 secretary of administration as provided in s. 59.25 (3) (f) 2. The ~~state treasurer~~
2 secretary of administration shall deposit the amount of the natural resources
3 assessment in the conservation fund.

4 ***-0529/4.198* SECTION 2118.** 169.46 (2) (c) of the statutes is amended to read:

5 169.46 (2) (c) If any deposit is made for an offense to which this subsection
6 applies, the person making the deposit shall also deposit a sufficient amount to
7 include the natural resources restitution payment prescribed in this subsection. If
8 the deposit is forfeited, the amount of the natural resources restitution payment
9 shall be transmitted to the ~~state treasurer~~ secretary of administration under par. (d).
10 If the deposit is returned, the natural resources restitution payment shall also be
11 returned.

12 ***-0529/4.199* SECTION 2119.** 169.46 (2) (d) of the statutes is amended to read:

13 169.46 (2) (d) The clerk of the court shall collect and transmit to the county
14 treasurer the natural resources restitution payment and other amounts required
15 under s. 59.40 (2) (m). The county treasurer shall then make payment to the ~~state~~
16 ~~treasurer~~ secretary of administration as provided in s. 59.25 (3) (f) 2. The ~~state~~
17 ~~treasurer~~ secretary of administration shall deposit the amount of the natural
18 resources restitution payment in the conservation fund.

19 ***b0130/3.2* SECTION 2120b.** 173.40 (title) of the statutes, as created by 2001
20 Wisconsin Act 16, is amended to read:

21 **173.40 (title) ~~Pet dealers, pet breeders, kennels, and animal shelters.~~**

22 ***b0130/3.2* SECTION 2120bb.** 173.40 (1) (c) of the statutes, as created by 2001
23 Wisconsin Act 16, is repealed.

24 ***b0130/3.2* SECTION 2120bd.** 173.40 (1) (e) of the statutes, as created by 2001
25 Wisconsin Act 16, is repealed.

1 ***b0130/3.2* SECTION 2120bf.** 173.40 (1) (f) of the statutes, as created by 2001
2 Wisconsin Act 16, is repealed.

3 ***b0130/3.2* SECTION 2120bh.** 173.40 (1) (fm) of the statutes, as created by
4 2001 Wisconsin Act 16, is amended to read:

5 173.40 (1) (fm) “Pet breeder” means a person who sells or offers to sell at least
6 25 50 dogs or cats for resale as pets in a year, except that “pet breeder” does not
7 include a pet dealer.

8 ***b0130/3.2* SECTION 2120bj.** 173.40 (2) (a) of the statutes, as created by 2001
9 Wisconsin Act 16, is repealed.

10 ***b0130/3.2* SECTION 2120bL.** 173.40 (2) (b) of the statutes, as created by 2001
11 Wisconsin Act 16, is amended to read:

12 173.40 (2) (b) ~~Except as provided in par. (c), no~~ No person may act as a pet dealer
13 or pet breeder without a license from the department. A person shall obtain a license
14 under this paragraph for each separate location at which the person conducts
15 business as a ~~pet dealer or~~ pet breeder.

16 ***b0130/3.2* SECTION 2120bn.** 173.40 (2) (c) of the statutes, as created by 2001
17 Wisconsin Act 16, is repealed.

18 ***b0130/3.2* SECTION 2120bp.** 173.40 (2) (d) of the statutes, as created by 2001
19 Wisconsin Act 16, is amended to read:

20 173.40 (2) (d) Licenses issued under ~~pars. (a) and~~ par. (b) expire on October 31
21 of each even-numbered year.

22 ***b0130/3.2* SECTION 2120br.** 173.40 (2) (e) of the statutes, as created by 2001
23 Wisconsin Act 16, is amended to read:

24 173.40 (2) (e) A license issued under ~~par. (a) or~~ (b) is not transferable.