

1 ***-1504/1.11*** SECTION 860. 25.66 (1) (e) of the statutes is amended to read:

2 25.66 (1) (e) Beginning in fiscal year 2003–04, all moneys transferred from the
3 general fund under s. ~~20.436 (1)~~ 20.435 (1) (b).

4 ***-1797/7.9*** SECTION 861. 25.66 (1) (f) of the statutes is created to read:

5 25.66 (1) (f) All moneys transferred under s. 20.505 (1) (tm).

6 ***-0194/9.5*** SECTION 862. 25.77 (1) of the statutes is amended to read:

7 25.77 (1) All federal moneys received, including moneys that the department
8 of health and family services may transfer from the appropriation under s. 20.435
9 (4) (o), that are related to payments under s. 49.45 (~~6m~~) and are based on public funds
10 that are transferred or certified under 42 CFR 433.51 (b) and used as the ~~non-federal~~
11 nonfederal share of ~~medical assistance~~ Medical Assistance funding.

12 ***-0194/9.6*** SECTION 863. 25.77 (2) of the statutes is amended to read:

13 25.77 (2) All public funds that are related to payments under s. 49.45 (~~6m~~) and
14 that are transferred or certified under 42 CFR 433.51 (b) and used as the ~~non-federal~~
15 nonfederal and federal share of ~~medical assistance~~ Medical Assistance funding.

16 ***-0207/6.1*** SECTION 864. 25.77 (3) of the statutes is created to read:

17 25.77 (3) All moneys received under s. 50.14 (2) from assessments on licensed
18 beds of facilities except \$14,300,000 in fiscal year 2003–04 and \$13,800,000 in fiscal
19 year 2004–05 and, beginning July 1, 2005, 45% in each fiscal year.

20 ***-1486/2.2*** SECTION 865. 25.77 (4) of the statutes is created to read:

21 25.77 (4) All moneys received under s. 49.45 (2) (a) 25. from assessments on
22 health maintenance organizations.

23 ***-0194/9.7*** SECTION 866. 25.77 (5) of the statutes is created to read:

24 25.77 (5) All moneys transferred under s. 20.435 (4) (hm).

25 ***-0338/1.4*** SECTION 867. 26.11 (6) of the statutes is amended to read:

1 26.11 (6) The department, as the director of the effort, may suppress a forest
2 fire on lands located outside the boundaries of intensive or extensive forest fire
3 protection districts but not within the limits of any city or village if the town
4 responsible for suppressing fires within its boundaries spends more than \$3,000, as
5 determined by rates established by the department, on suppressing the forest fire
6 and if the town chairperson makes a request to the department for assistance.
7 Persons participating in the suppression efforts shall act at the direction of the
8 department after the department begins suppression efforts under this subsection.
9 Funds expended by the state under this subsection shall be ~~drawn~~ expended from the
10 appropriation under s. 20.370 (1) ~~(mu)~~ (mv).

11 ***-0529/4.78*** SECTION 868. 26.14 (4) of the statutes is amended to read:

12 26.14 (4) Emergency fire wardens or those assisting them in the fighting of
13 forest fires shall prepare itemized accounts of their services and the services of those
14 employed by them, as well as other expenses incurred, on blanks to be furnished by
15 the department and in a manner prescribed by the department, and make oaths or
16 affirmation that said account is just and correct, which account shall be forwarded
17 and approved for payment by the department. As soon as any such account has been
18 paid by the ~~state treasurer~~ secretary of administration the department of natural
19 resources shall send to the proper county treasurer a bill for the county's share of
20 such expenses and ~~a copy of the bill shall be filed with the department of~~
21 ~~administration.~~ The county shall have 60 days within which to pay such bill, but if
22 not paid within that time the county shall be liable for interest at the rate of 6% per
23 year. If payment is not made within 60 days the department of administration shall
24 include such amount as a part of the next levy against the county for state taxes, but
25 no county shall be required to pay more than \$5,000 in any one year. Any unpaid levy

1 under this section shall remain a charge against the county and the department of
2 administration shall include such unpaid sums in the state tax levy of the respective
3 counties in subsequent years.

4 ***-1187/4.12* SECTION 869.** 26.20 (3) of the statutes is amended to read:

5 26.20 (3) LOCOMOTIVE INSPECTOR; POWERS. Any locomotive inspector designated
6 by the department shall have the power to reject from service immediately any
7 locomotive, donkey, traction, or portable engine which, in the opinion of the inspector,
8 is deficient in adequate design, construction, or maintenance of the fire protective
9 devices designated in sub. (2), and any such locomotive, donkey, traction, or portable
10 engine so rejected from service shall not be returned to service until such defects have
11 been remedied to the satisfaction of the locomotive inspector. In case of disagreement
12 between the inspector and the owner of the locomotive, donkey, traction, or portable
13 engine so rejected from service as to the efficiency or proper maintenance of said
14 protective devices, then the owner of the locomotive, donkey, traction, or portable
15 engine may appeal to the ~~office of the commissioner of railroads~~ division of hearings
16 and appeals in the department of administration for a decision of said matter, but
17 pending such decision the locomotive, donkey, traction, or portable engine shall not
18 be returned to service.

19 ***-1187/4.13* SECTION 870.** 26.20 (10) of the statutes is amended to read:

20 26.20 (10) ~~APPEAL TO OFFICE OF THE COMMISSIONER OF RAILROADS~~ DIVISION OF
21 HEARINGS AND APPEALS. In case the department and any person operating any
22 locomotive, donkey, or threshing engine, or any engine, boiler, or locomotive cannot
23 agree as to the most practicable device or devices for preventing the escape of sparks,
24 cinders, or fire from smokestacks, ash pans or fire boxes, then the same shall be

1 determined by the ~~office of the commissioner of railroads~~ division of hearings and
2 appeals in the department of administration.

3 *~~0529/4.79~~* SECTION 871. 26.30 (9) (b) (intro.) of the statutes is amended to
4 read:

5 26.30 (9) (b) (intro.) As soon as the expenses incurred by the state in forest pest
6 control work have been paid by the ~~state treasurer~~ secretary of administration, the
7 department shall send to each landowner a bill covering an equitable share of such
8 expenses as herein provided.

9 *~~1824/6.9~~* SECTION 872. 27.01 (12) of the statutes is amended to read:

10 27.01 (12) LEGAL COUNSEL. ~~A representative of the department of justice~~
11 ~~designated by the attorney general shall act as legal counsel for said department of~~
12 ~~natural resources, both in proceedings and litigation, and in giving advice and~~
13 ~~counsel.~~ The respective district attorneys of the county or counties where said park
14 is or shall be located shall prosecute all violations of this section occurring within
15 their respective counties as provided in s. 26.18.

16 *~~1289/7.105~~* SECTION 873. 29.038 (1) (a) of the statutes is amended to read:

17 29.038 (1) (a) "Local governmental unit" has the meaning given in s. ~~22.01~~
18 16.97 (7).

19 *~~0459/P1.2~~* SECTION 874. 29.319 (2) of the statutes is amended to read:

20 29.319 (2) Any fees collected by the department under this section shall be
21 deposited in the conservation fund ~~to be used for department activities relating to~~
22 ~~fish and wildlife~~ and credited to the appropriation for the endangered resources
23 program under s. 20.370 (1) (fs).

24 *~~1635/1.1~~* SECTION 875. 29.563 (2) (a) 1. of the statutes is amended to read:

25 29.563 (2) (a) 1. Small game: ~~\$12.25~~ \$18.25.

1 ***-1635/1.2*** SECTION 876. 29.563 (2) (a) 2. of the statutes is amended to read:

2 29.563 (2) (a) 2. Small game issued to a resident senior citizen: ~~\$5.25~~ \$8.25.

3 ***-1635/1.3*** SECTION 877. 29.563 (2) (a) 4. of the statutes is amended to read:

4 29.563 (2) (a) 4. Small game issued to 12-year-olds to 17-year-olds: ~~\$6.25~~

5 \$8.25.

6 ***-1635/1.4*** SECTION 878. 29.563 (2) (a) 5. of the statutes is amended to read:

7 29.563 (2) (a) 5. Deer: ~~\$18.25~~ \$30.25.

8 ***-1635/1.5*** SECTION 879. 29.563 (2) (a) 6. of the statutes is amended to read:

9 29.563 (2) (a) 6. Class A bear: ~~\$39.25~~ \$47.25.

10 ***-1635/1.6*** SECTION 880. 29.563 (2) (a) 7. of the statutes is amended to read:

11 29.563 (2) (a) 7. Class B bear: ~~\$6.25~~ \$12.25.

12 ***-1635/1.7*** SECTION 881. 29.563 (2) (a) 8. of the statutes is amended to read:

13 29.563 (2) (a) 8. Archer: ~~\$18.25~~ \$30.25.

14 ***-1635/1.8*** SECTION 882. 29.563 (2) (a) 9. of the statutes is amended to read:

15 29.563 (2) (a) 9. Wild turkey: ~~\$9.25~~ \$12.25.

16 ***-1635/1.9*** SECTION 883. 29.563 (2) (b) 1. of the statutes is amended to read:

17 29.563 (2) (b) 1. Annual small game: ~~\$73.25~~ \$78.25.

18 ***-1635/1.10*** SECTION 884. 29.563 (2) (b) 2. of the statutes is amended to read:

19 29.563 (2) (b) 2. Five-day small game: ~~\$41.25~~ \$48.25.

20 ***-1635/1.11*** SECTION 885. 29.563 (2) (b) 3. of the statutes is amended to read:

21 29.563 (2) (b) 3. Deer: ~~\$133.25~~ \$158.25.

22 ***-1635/1.12*** SECTION 886. 29.563 (2) (b) 4. of the statutes is amended to read:

23 29.563 (2) (b) 4. Class A bear: ~~\$199.25~~ \$249.25.

24 ***-1635/1.13*** SECTION 887. 29.563 (2) (b) 5. of the statutes is amended to read:

25 29.563 (2) (b) 5. Class B bear: ~~\$98.25~~ \$108.25.

1 ***-1635/1.14*** SECTION 888. 29.563 (2) (b) 6. of the statutes is amended to read:

2 29.563 (2) (b) 6. Archer: ~~\$133.25~~ \$158.25.

3 ***-1635/1.15*** SECTION 889. 29.563 (2) (b) 7. of the statutes is amended to read:

4 29.563 (2) (b) 7. Fur-bearing animal: ~~\$148.25~~ \$158.25.

5 ***-1635/1.16*** SECTION 890. 29.563 (2) (b) 8. of the statutes is amended to read:

6 29.563 (2) (b) 8. Wild turkey: ~~\$53.25~~ \$58.25.

7 ***-1635/1.17*** SECTION 891. 29.563 (3) (a) 1. of the statutes is amended to read:

8 29.563 (3) (a) 1. Annual: ~~\$13.25~~ \$19.25.

9 ***-1635/1.18*** SECTION 892. 29.563 (3) (a) 2. of the statutes is amended to read:

10 29.563 (3) (a) 2. Annual fishing issued to a resident senior citizen: ~~\$6.25~~ \$9.25.

11 ***-1635/1.19*** SECTION 893. 29.563 (3) (a) 3. of the statutes is amended to read:

12 29.563 (3) (a) 3. Husband and wife: ~~\$23.25~~ \$34.25.

13 ***-1635/1.20*** SECTION 894. 29.563 (3) (a) 5. of the statutes is amended to read:

14 29.563 (3) (a) 5. Two-day sports fishing: ~~\$9.25~~ \$13.25.

15 ***-1635/1.21*** SECTION 895. 29.563 (3) (a) 7. of the statutes is amended to read:

16 29.563 (3) (a) 7. Annual or temporary fishing issued to a disabled person under
17 s. 29.193 (3) (a) or (b) or (3m): ~~\$6.25~~ \$9.25.

18 ***-1635/1.22*** SECTION 896. 29.563 (3) (b) 1. to 5. of the statutes are amended
19 to read:

20 29.563 (3) (b) 1. Annual: ~~\$33.25~~ \$39.25.

21 2. Annual family: ~~\$51.25~~ \$64.25.

22 3. Fifteen-day: ~~\$19.25~~ \$23.25.

23 4. Fifteen-day family: ~~\$29.25~~ \$39.25.

24 5. Four-day: ~~\$14.25~~ \$17.25.

25 ***-1635/1.23*** SECTION 897. 29.563 (3) (c) 2. of the statutes is amended to read:

1 29.563 (3) (c) 2. Great Lakes trout and salmon: ~~\$7~~ \$9.75.

2 *~~1635/1.24~~* SECTION 898. 29.563 (4) (a) 1. of the statutes is amended to read:

3 29.563 (4) (a) 1. Sports: ~~\$41.25~~ \$51.25 or a greater amount at the applicant's
4 option.

5 *~~1635/1.25~~* SECTION 899. 29.563 (4) (a) 2. of the statutes is amended to read:

6 29.563 (4) (a) 2. Conservation patron: ~~\$107.25~~ \$137.25 or a greater amount at
7 the applicant's option.

8 *~~1635/1.26~~* SECTION 900. 29.563 (4) (b) 1. of the statutes is amended to read:

9 29.563 (4) (b) 1. Sports: ~~\$238.25~~ \$273.25 or a greater amount at the applicant's
10 option.

11 *~~1635/1.27~~* SECTION 901. 29.563 (4) (b) 2. of the statutes is amended to read:

12 29.563 (4) (b) 2. Conservation patron: ~~\$572.25~~ \$597.25 or a greater amount at
13 the applicant's option.

14 *~~1635/1.28~~* SECTION 902. 29.563 (6) (a) 1. of the statutes is amended to read:

15 29.563 (6) (a) 1. Trapping: ~~\$17.25~~ \$19.25.

16 *~~1635/1.29~~* SECTION 903. 29.563 (12) (a) 1. to 3. of the statutes are amended
17 to read:

18 29.563 (12) (a) 1. Deer: ~~\$10.25~~ \$12.25.

19 2. Archer, sports or conservation patron: ~~\$10.25~~ \$12.25 if deer tags are
20 included; ~~\$7.25~~ \$9.25 after open season and deer tags are not included.

21 3. Other hunting: ~~\$6.25~~ \$7.25.

22 *~~1635/1.30~~* SECTION 904. 29.563 (12) (b) of the statutes is amended to read:

23 29.563 (12) (b) *Fishing*. Fishing: ~~\$6.25~~ \$8.25.

24 *~~0529/4.80~~* SECTION 905. 29.983 (1) (e) of the statutes is amended to read:

1 29.983 (1) (e) If any deposit is made for an offense to which this section applies,
2 the person making the deposit shall also deposit a sufficient amount to include the
3 wild animal protection assessment required under this section. If the deposit is
4 forfeited, the amount of the wild animal protection assessment shall be transmitted
5 to the ~~state treasurer~~ secretary of administration under par. (f). If the deposit is
6 returned, the wild animal protection assessment shall also be returned.

7 *~~-0529/4.81~~* **SECTION 906.** 29.983 (1) (f) of the statutes is amended to read:

8 29.983 (1) (f) The clerk of the court shall collect and transmit to the county
9 treasurer the wild animal protection assessment and other amounts required under
10 s. 59.40 (2) (m). The county treasurer shall then make payment to the ~~state treasurer~~
11 secretary of administration as provided in s. 59.25 (3) (f) 2.

12 *~~-0529/4.82~~* **SECTION 907.** 29.983 (2) of the statutes is amended to read:

13 29.983 (2) DEPOSIT OF WILD ANIMAL PROTECTION ASSESSMENT FUNDS. The ~~state~~
14 ~~treasurer~~ secretary of administration shall deposit the moneys collected under this
15 section into the conservation fund.

16 *~~-0529/4.83~~* **SECTION 908.** 29.985 (1) (c) of the statutes is amended to read:

17 29.985 (1) (c) If any deposit is made for an offense to which this section applies,
18 the person making the deposit shall also deposit a sufficient amount to include the
19 fishing shelter removal assessment prescribed in this section. If the deposit is
20 forfeited, the amount of the fishing shelter removal assessment shall be transmitted
21 to the ~~state treasurer~~ secretary of administration under par. (d). If the deposit is
22 returned, the fishing shelter removal assessment shall also be returned.

23 *~~-0529/4.84~~* **SECTION 909.** 29.985 (1) (d) of the statutes is amended to read:

24 29.985 (1) (d) The clerk of the court shall collect and transmit to the county
25 treasurer the fishing shelter removal assessment and other amounts required under

1 s. 59.40 (2) (m). The county treasurer shall then make payment to the ~~state treasurer~~
2 secretary of administration as provided in s. 59.25 (3) (f) 2.

3 *~~0529/4.85~~* SECTION 910. 29.987 (1) (c) of the statutes is amended to read:

4 29.987 (1) (c) If any deposit is made for an offense to which this section applies,
5 the person making the deposit shall also deposit a sufficient amount to include the
6 natural resources assessment prescribed in this section. If the deposit is forfeited,
7 the amount of the natural resources assessment shall be transmitted to the state
8 ~~treasurer~~ secretary of administration under par. (d). If the deposit is returned, the
9 natural resources assessment shall also be returned.

10 *~~0529/4.86~~* SECTION 911. 29.987 (1) (d) of the statutes is amended to read:

11 29.987 (1) (d) The clerk of the court shall collect and transmit to the county
12 treasurer the natural resources assessment and other amounts required under s.
13 59.40 (2) (m). The county treasurer shall then make payment to the state treasurer
14 as provided in s. 59.25 (3) (f) 2. ~~The state treasurer~~ secretary of administration shall
15 deposit the amount of the natural resources assessment in the conservation fund.

16 *~~0529/4.87~~* SECTION 912. 29.989 (1) (c) of the statutes is amended to read:

17 29.989 (1) (c) If any deposit is made for an offense to which this section applies,
18 the person making the deposit shall also deposit a sufficient amount to include the
19 natural resources restitution payment prescribed in this section. If the deposit is
20 forfeited, the amount of the natural resources restitution payment shall be
21 transmitted to the ~~state treasurer~~ secretary of administration under par. (d). If the
22 deposit is returned, the natural resources restitution payment shall also be returned.

23 *~~0529/4.88~~* SECTION 913. 29.989 (1) (d) of the statutes is amended to read:

24 29.989 (1) (d) The clerk of the court shall collect and transmit to the county
25 treasurer the natural resources restitution payment and other amounts required

1 under s. 59.40 (2) (m). The county treasurer shall then make payment to the state
2 treasurer secretary of administration as provided in s. 59.25 (3) (f) 2. The state
3 treasurer secretary of administration shall deposit the amount of the natural
4 resources restitution payment in the conservation fund.

5 *~~1712/5.19~~* **SECTION 914.** 30.275 (5) of the statutes is repealed.

6 *~~1712/5.20~~* **SECTION 915.** 30.277 (7) of the statutes is repealed.

7 *~~1187/4.14~~* **SECTION 916.** 30.33 (1) of the statutes is amended to read:

8 30.33 (1) BOARD TO HAVE POWERS OF RAILROAD CORPORATION. Any municipality
9 operating a public harbor through a board of harbor commissioners may, through
10 such board, construct, maintain or operate railway facilities or a harbor belt line
11 connecting various harbor facilities with one another or with other railroads within
12 the municipality or its vicinity. The board of harbor commissioners is granted all of
13 the rights, powers and privileges conferred upon railroad corporations by ss. 190.02
14 and 190.025 (3), except such rights, powers and privileges as are conferred upon
15 railroad corporations by s. 190.02 (9). Such facilities or belt line may be constructed,
16 maintained or operated partly outside the corporate limits of the municipality. In
17 constructing, maintaining or operating such facilities or belt line, the board of harbor
18 commissioners has the powers and privileges of railroad corporations and shall be
19 subject to the same restrictions as railroad corporations and to the supervision of the
20 ~~office of the commissioner of railroads~~ department of transportation, except as to the
21 system of accounting and the payment of wages to employees.

22 *~~1187/4.15~~* **SECTION 917.** 30.33 (2) of the statutes is amended to read:

23 30.33 (2) MUNICIPALITY MAY ORGANIZE HARBOR RAILWAY CORPORATION. Any
24 municipality mentioned in sub. (1) may, with the consent of its board of harbor
25 commissioners, organize a railroad corporation for the purpose of constructing,

1 maintaining or operating a harbor belt line or may subscribe for stock in an existing
2 railroad corporation organized for such purpose. If the municipality decides to
3 organize a railroad corporation for such purpose, the governing body thereof may, by
4 resolution, authorize the chief executive officer or presiding officer of such
5 municipality to act, together with 4 citizens to be designated by the officer, as
6 incorporators of such company. Such incorporators shall proceed to incorporate the
7 railroad corporation in accordance with chs. 190 to 192, so far as applicable. Such
8 harbor railroad corporation is subject to the supervisory and regulatory powers of the
9 ~~office of the commissioner of railroads~~ department of transportation to the same
10 extent as other railroad corporations. The municipality may subscribe to the stock
11 of such harbor railroad corporation and may pay for such stock out of any funds it
12 may lawfully have available for that purpose, including the proceeds of harbor
13 improvement bonds.

14 *~~1712/5.21~~* SECTION 918. 30.92 (7) of the statutes is repealed.

15 *~~1712/5.22~~* SECTION 919. 30.93 (3) (b) of the statutes is amended to read:

16 30.93 (3) (b) ~~Authority to contract; Wisconsin conservation corps.~~ The
17 commission may contract with public agencies, public or private organizations,
18 businesses, or individuals to carry out management or operation responsibilities for
19 the Fox River navigational system. The commission may contract with the
20 department of health and family services or other state agency to carry out
21 management or operation responsibilities for the Fox River navigational system.
22 ~~The commission may act as a Wisconsin conservation corps project sponsor and may~~
23 ~~enter into agreements with the Wisconsin conservation corps board to carry out~~
24 ~~management or operation responsibilities for the Fox River navigational system.~~

25 *~~1712/5.23~~* SECTION 920. 33.445 (4) of the statutes is repealed.

1 *~~-1712/5.24~~* SECTION 921. 33.56 (4) of the statutes is repealed.

2 *~~-1431/2.10~~* SECTION 922. 34.01 (2) (a) of the statutes is amended to read:

3 34.01 (2) (a) Any loss of public moneys, which have been deposited in a
4 designated public depository in accordance with this chapter, resulting from the
5 failure of any public depository to repay to any public depositor the full amount of
6 its deposit because the office of credit unions, administrator of federal credit unions,
7 U.S. comptroller of the currency, federal home loan bank board, U.S. office of thrift
8 supervision, federal deposit insurance corporation, resolution trust corporation, or
9 division of banking ~~or division of savings institutions~~ has taken possession of the
10 public depository or because the public depository has, with the consent and approval
11 of the office of credit unions, administrator of federal credit unions, U.S. office of
12 thrift supervision, federal deposit insurance corporation, resolution trust
13 corporation, or division of banking ~~or division of savings institutions~~, adopted a
14 stabilization and readjustment plan or has sold a part or all of its assets to another
15 credit union, bank, savings bank, or savings and loan association which has agreed
16 to pay a part or all of the deposit liability on a deferred payment basis or because the
17 depository is prevented from paying out old deposits because of rules of the office of
18 credit unions, administrator of federal credit unions, U.S. comptroller of the
19 currency, federal home loan bank board, U.S. office of thrift supervision, federal
20 deposit insurance corporation, resolution trust corporation, or division of banking ~~or~~
21 division of savings institutions.

22 *~~-0529/4.89~~* SECTION 923. 34.045 (1) (b) of the statutes is amended to read:

23 34.045 (1) (b) Establish procedures by which state agencies and departments
24 pay for services through compensating balances or fees, or a combination of both
25 methods. ~~In the case of the state treasurer's accounts, direct the state treasurer~~

1 Direct the secretary of administration to maintain compensating balances, or direct
2 the investment board to pay bank service costs as allocated by the ~~state treasurer~~
3 secretary of administration under s. 25.19 (3) directly from the income account of the
4 state investment fund, or by a combination of such methods.

5 *~~0529/4.90~~* SECTION 924. 34.08 (2) of the statutes is amended to read:

6 34.08 (2) Payments under sub. (1) shall be made in the order in which
7 satisfactory proofs of loss are received by the division of banking. The payment made
8 to any public depositor for all losses of the public depositor in any individual public
9 depository may not exceed \$400,000 above the amount of deposit insurance provided
10 by an agency of the United States or by the Wisconsin Credit Union Savings
11 Insurance Corporation at the public depository which experienced the loss. Upon a
12 satisfactory proof of loss, the division of banking shall direct the department of
13 administration to draw its warrant payable from the appropriation under s. 20.144
14 (1) (a) and the ~~state treasurer~~ secretary of administration shall pay the warrant
15 under s. ~~14.58~~ 16.401 (4) in favor of the public depositor that has submitted the proof
16 of loss.

17 *~~1431/2.11~~* SECTION 925. 34.10 of the statutes is amended to read:

18 **34.10 Reorganization and stabilization of financial institutions.**
19 Whenever the office of credit unions, administrator of federal credit unions, U.S.
20 comptroller of the currency, federal home loan bank board, U.S. office of thrift
21 supervision, federal deposit insurance corporation, resolution trust corporation, or
22 ~~division of banking or division of savings institutions~~ has taken charge of a credit
23 union, bank, savings bank, or savings and loan association with a view of restoring
24 its solvency, pursuant to law, or with a view of stabilizing and readjusting the
25 structure of any national or state credit union, bank, savings bank, or savings and

1 loan association located in this state, and has approved a reorganization plan or a
2 stabilization and readjustment agreement entered into between the credit union,
3 bank, savings bank, or savings and loan association and depositors and unsecured
4 creditors, or when a credit union, bank, savings bank, or savings and loan
5 association, with the approval of the office of credit unions, administrator of federal
6 credit unions, U.S. comptroller of the currency, federal home loan bank board, U.S.
7 office of thrift supervision, federal deposit insurance corporation, resolution trust
8 corporation, ~~or division of banking or division of savings institutions~~ proposes to sell
9 its assets to another credit union, bank, savings bank, or savings and loan
10 association which agrees to assume a part or all of the deposit liability of such selling
11 credit union, bank, savings bank, or savings and loan association and to pay the same
12 on a deferred payment basis, the governing board of the public depositor may, on the
13 approval of the division of banking, join in the execution of any reorganization plan,
14 or any stabilization and readjustment agreement, or any depositor's agreement
15 relative to a proposed sale of assets if, in its judgment and that of the division of
16 banking, the reorganization plan or stabilization and readjustment agreement or
17 proposed sale of assets is in the best interest of all persons concerned. The joining
18 in any reorganization plan, or any stabilization and readjustment agreement, or any
19 proposed sale of assets which meets the approval of the division of banking does not
20 waive any rights under this chapter.

21 ***-1630/2.25* SECTION 926.** 35.24 (3) of the statutes is amended to read:

22 35.24 (3) Reprints of the feature article shall be bound in paper covers and shall
23 be in such quantity as is authorized for each specific reprint by the joint committee
24 on legislative organization. The cost of reprints shall be paid from the appropriation
25 under s. 20.765 (1) (d) or (5).

1 ***-1630/2.26*** SECTION 927. 35.91 (1) of the statutes is amended to read:

2 35.91 (1) The latest edition of the Wisconsin statutes shall be sold at a price,
3 calculated to the nearest dollar, to be fixed by the department, based on cost plus 75%
4 of the revisor's expenditures under s. 20.765 (3) (a) or (5) during the preceding
5 biennium. The department may sell noncurrent editions of the Wisconsin statutes
6 and Wisconsin annotations at reduced prices to be fixed by it.

7 ***-1630/2.27*** SECTION 928. 35.93 (9) of the statutes is amended to read:

8 35.93 (9) The department shall charge the legislature under s. 20.765 (1) (d)
9 or (5) for the cost of distribution of the code and the register, including the costs
10 specified in s. 35.80, and shall deposit all revenues received from their sale into the
11 general fund.

12 ***-0576/8.54*** SECTION 929. 36.09 (1) (i) of the statutes is amended to read:

13 36.09 (1) (i) Upon recommendation of the president and the administrator of
14 the division of merit recruitment and selection in the department of employment
15 relations administration, the board and the secretary of employment relations
16 administration shall jointly adopt general policies governing the designation of
17 positions to be exempt from the classified service as academic staff as defined in s.
18 36.15 (1) (a) and (b). No position in the classified service may be designated as an
19 academic staff position under the general policies unless the secretary of
20 employment relations administration approves the designation.

21 ***-0576/8.55*** SECTION 930. 36.09 (1) (j) of the statutes is amended to read:

22 36.09 (1) (j) Except where such matters are a subject of bargaining with a
23 certified representative of a collective bargaining unit under s. 111.91, the board
24 shall establish salaries for persons not in the classified staff prior to July 1 of each
25 year for the next fiscal year, and shall designate the effective dates for payment of

1 the new salaries. In the first year of the biennium, payments of the salaries
2 established for the preceding year shall be continued until the biennial budget bill
3 is enacted. If the budget is enacted after July 1, payments shall be made following
4 enactment of the budget to satisfy the obligations incurred on the effective dates, as
5 designated by the board, for the new salaries, subject only to the appropriation of
6 funds by the legislature and s. 20.928 (3). This paragraph does not limit the
7 authority of the board to establish salaries for new appointments. The board may
8 not increase the salaries of employces specified in ss. 20.923 (5) and (6) (m) and
9 230.08 (2) (d) under this paragraph unless the salary increase conforms to the
10 proposal as approved under s. 230.12 (3) (e) or the board authorizes the salary
11 increase to correct salary inequities under par. (h), to fund job reclassifications or
12 promotions, or to recognize competitive factors. The board may not increase the
13 salary of any position identified in s. 20.923 (4g) under this paragraph unless the
14 salary increase conforms to the proposal as approved under s. 230.12 (3) (e) or the
15 board authorizes the salary increase to correct a salary inequity or to recognize
16 competitive factors. The board may not increase the salary of any position identified
17 in s. 20.923 (4g) (ae) and (am) to correct a salary inequity that results from the
18 appointment of a person to a position identified in s. 20.923 (4g) (ae) and (am) unless
19 the increase is approved by the department of ~~employment relations~~ administration.
20 The granting of salary increases to recognize competitive factors does not obligate
21 inclusion of the annualized amount of the increases in the appropriations under s.
22 20.285 (1) for subsequent fiscal bienniums. No later than October 1 of each year, the
23 board shall report to the joint committee on finance and the ~~departments~~ department
24 of ~~administration and employment relations~~ concerning the amounts of any salary

1 increases granted to recognize competitive factors, and the institutions at which they
2 are granted, for the 12-month period ending on the preceding June 30.

3 ***-1711/5.49* SECTION 931.** 36.11 (6) (c) of the statutes is amended to read:

4 36.11 (6) (c) ~~By April 10, 1998, and annually thereafter~~ Annually, by April 10,
5 the board shall develop ~~and submit to the higher educational aids board for its review~~
6 ~~under s. 39.285 (1)~~ a proposed formula for the awarding of grants under s. 39.435,
7 except for grants awarded under s. 39.435 (2) or (5), for the upcoming academic year
8 to students enrolled in the system.

9 ***-1735/6.5* SECTION 932.** 36.25 (14) of the statutes is amended to read:

10 36.25 (14) GRADUATE STUDENT FINANCIAL AID. The board shall establish a grant
11 program for minority and disadvantaged graduate students enrolled in the system.
12 The grants shall be awarded from the ~~appropriation~~ appropriations under s. 20.285
13 (4) (b) and (gm). The board shall give preference in awarding grants under this
14 subsection to residents of this state. The board may not make a grant under this
15 subsection to a person whose name appears on the statewide support lien docket
16 under s. 49.854 (2) (b), unless the person provides to the board a payment agreement
17 that has been approved by the county child support agency under s. 59.53 (5) and that
18 is consistent with rules promulgated under s. 49.858 (2) (a).

19 ***-0666/9.39* SECTION 933.** 36.25 (38) (a) of the statutes is amended to read:

20 36.25 (38) (a) In this subsection, “educational technology” has the meaning
21 given in s. ~~44.70~~ 115.997 (3).

22 ***-1289/7.106* SECTION 934.** 36.25 (38) (b) 6. of the statutes is amended to read:

23 36.25 (38) (b) 6. To pay the department of ~~electronic government~~
24 administration for telecommunications services provided under s. ~~22.05~~ 16.972 (1).

25 ***-0576/8.56* SECTION 935.** 36.27 (1) (am) 2. of the statutes is amended to read:

1 36.27 (1) (am) 2. The approved recommendations of the secretary of
2 ~~employment relations~~ administration for compensation and fringe benefits for
3 classified staff, for unclassified employees specified in s. 230.12 (1) (a) 1. b., and for
4 unclassified employees specified in s. 230.12 (3) (e). If these recommendations have
5 not been approved by the joint committee on employment relations by the time the
6 board sets academic fees, the board may raise academic fees for resident
7 undergraduate students by an amount sufficient to fund the recommendations of the
8 secretary of ~~employment relations~~ administration for compensation and fringe
9 benefits for classified staff and for unclassified employees specified in s. 230.12 (1)
10 (a) 1. b. and the board's recommendations for unclassified employees specified in s.
11 230.12 (3) (e). If the secretary of ~~employment relations~~ administration has not made
12 recommendations by the time the board sets academic fees, the board may raise
13 academic fees for resident undergraduate students by an amount sufficient to fund
14 the board's estimate of compensation and fringe benefits for classified staff and for
15 unclassified employees specified in s. 230.12 (1) (a) 1. b. and the board's
16 recommendations for unclassified employees specified in s. 230.12 (3) (e). If the
17 board sets academic fees based upon the board's estimate and the board's
18 unapproved recommendations, and the recommendations of the board and the
19 secretary of ~~employment relations~~ administration as finally approved by the joint
20 committee on employment relations call for a lower rate of compensation and fringe
21 benefits than the board's estimate and unapproved recommendations, the board
22 shall lower academic student fees for resident undergraduate students for the next
23 academic year by an amount equal to the difference between the academic fees
24 charged and an amount sufficient to fund the approved recommendations. If the
25 board sets academic fees based upon the board's estimate and unapproved

1 recommendations, and the recommendations of the board and the secretary of
2 employment relations administration as finally approved by the joint committee on
3 employment relations call for a higher rate of compensation and fringe benefits than
4 the board's estimate and unapproved recommendations, the board may raise
5 academic student fees for resident undergraduate students for the next academic
6 year by an amount equal to the difference between the academic fees charged and
7 an amount sufficient to fund the approved recommendations.

8 ***-1724/2.1* SECTION 936.** 36.27 (2) (cr) of the statutes is created to read:

9 36.27 (2) (cr) A person who is a citizen of a country other than the United States
10 is entitled to the exemption under par. (a) if that person meets all of the following
11 requirements:

12 1. The person graduated from a high school in this state or received a high
13 school graduation equivalency from this state.

14 2. The person was continuously present in this state for at least one year
15 following the first day of attending a high school in this state.

16 3. The person enrolls in an institution and provides that institution with an
17 affidavit stating that the person has filed or will file an application for a permanent
18 resident visa with the Immigration and Naturalization Service as soon as the person
19 is eligible to do so.

20 ***-1711/5.50* SECTION 937.** 36.31 (3) of the statutes is repealed.

21 ***-1735/6.6* SECTION 938.** 36.34 (1) (b) of the statutes is amended to read:

22 36.34 (1) (b) The board shall establish a grant program for minority
23 undergraduates enrolled in the system. The board shall designate all grants under
24 this subsection as Lawton grants. Grants shall be awarded from the ~~appropriation~~
25 appropriations under s. 20.285 (4) (dd) and (g). The board may not make a grant

1 under this subsection to a person whose name appears on the statewide support lien
2 docket under s. 49.854 (2) (b), unless the person provides to the board a payment
3 agreement that has been approved by the county child support agency under s. 59.53
4 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a).

5 ***-0529/4.91* SECTION 939.** 36.51 (6) of the statutes is amended to read:

6 36.51 (6) The college campus or institution may file a claim with the
7 department of public instruction for reimbursement for reasonable expenses
8 incurred, excluding capital equipment costs, but not to exceed 15% of the cost of the
9 meal or 50 cents per meal, whichever is less. Any cost in excess of the lesser amount
10 may be charged to participants. If the department of public instruction approves the
11 claim, it shall certify that payment is due and the ~~state treasurer~~ secretary of
12 administration shall pay the claim from the appropriation under s. 20.255 (2) (cn).

13 ***-1711/5.51* SECTION 940.** 38.04 (7m) of the statutes is amended to read:

14 38.04 (7m) FINANCIAL AIDS. ~~By April 10, 1998, and annually thereafter~~
15 Annually, by April 10, the board shall develop and submit to the ~~higher educational~~
16 ~~aids board~~ Board of Regents of the University of Wisconsin System for its review
17 under s. 39.285 (1) a proposed formula for the awarding of grants under s. 39.435,
18 except for grants awarded under s. 39.435 (2) or (5), for the upcoming academic year
19 to students enrolled in the technical colleges.

20 ***-1733/1.4* SECTION 941.** 38.04 (19) of the statutes is repealed.

21 ***-1733/1.5* SECTION 942.** 38.04 (28) of the statutes is created to read:

22 38.04 (28) HEALTH CARE EDUCATION PROGRAMS. From the appropriation under
23 s. 20.292 (1) (ch), the board shall award grants to district boards to expand health
24 care education programs.

25 ***-1733/1.6* SECTION 943.** 38.28 (1m) (a) 1. of the statutes is amended to read:

1 38.28 (1m) (a) 1. “District aidable cost” means the annual cost of operating a
2 technical college district, including debt service charges for district bonds and
3 promissory notes for building programs or capital equipment, but excluding all
4 expenditures relating to auxiliary enterprises and community service programs, all
5 expenditures funded by or reimbursed with federal revenues, all receipts under sub.
6 (6) and ss. 38.12 (9), 38.14 (3) and (9), 118.15 (2) (a), 118.55 (7r), and 146.55 (5), all
7 receipts from grants awarded under ss. 38.04 (8), ~~(19)~~, (20), ~~(28)~~, and (31), 38.14 (11),
8 38.26, 38.27, ~~38.31~~, 38.33, and 38.38, all fees collected under s. 38.24, and driver
9 education and chauffeur training aids.

10 *~~1733/1.7~~* SECTION 944. 38.31 of the statutes is repealed.

11 *~~0529/4.92~~* SECTION 945. 38.36 (6) of the statutes is amended to read:

12 38.36 (6) The district board may file a claim with the department of public
13 instruction for reimbursement for reasonable expenses incurred, excluding capital
14 equipment costs, but not to exceed 15% of the cost of the meal or 50 cents per meal,
15 whichever is less. Any cost in excess of the lesser amount may be charged to
16 participants. If the department of public instruction approves the claim, it shall
17 certify that payment is due and the ~~state treasurer~~ secretary of administration shall
18 pay the claim from the appropriation under s. 20.255 (2) (cn).

19 *~~0602/1.3~~* SECTION 946. 39.11 (16g) of the statutes is amended to read:

20 39.11 (16g) Expend at least \$140,200 in each fiscal year ~~1994–95 and every~~
21 ~~fiscal year thereafter~~ for the development and periodic update of instructional
22 television programs that are specific to this state for use in schools. Funds may be
23 expended for the programs from the appropriation under s. 20.225 (1) (f), (g), ~~(h)~~ or
24 (m).

25 *~~1263/1.2~~* SECTION 947. 39.155 (1) of the statutes is amended to read:

1 39.155 (1) ~~Subject to sub. (3), all~~ All funds appropriated to the Medical College
2 of Wisconsin, Inc., under s. 20.250 (1) (a) shall be based on a per capita formula for
3 an amount for each Wisconsin resident enrolled at the college who is paying full
4 tuition. A student's qualification as a resident of this state shall be determined by
5 the higher educational aids board in accordance with s. 36.27, so far as applicable.

6 *~~1711/5.52~~* SECTION 948. 39.155 (1) of the statutes, as affected by 2003
7 Wisconsin Act (this act), is amended to read:

8 39.155 (1) All funds appropriated to the Medical College of Wisconsin, Inc.,
9 under s. 20.250 (1) (a) shall be based on a per capita formula for an amount for each
10 Wisconsin resident enrolled at the college who is paying full tuition. A student's
11 qualification as a resident of this state shall be determined by the ~~higher educational~~
12 ~~aids board~~ Board of Regents of the University of Wisconsin System in accordance
13 with s. 36.27, so far as applicable.

 ***NOTE: This is reconciled s. 39.155 (1). This SECTION has been affected by drafts
with the following LRB numbers: LRB-1263/1 and LRB-1711/4.

14 *~~1263/1.3~~* SECTION 949. 39.155 (2) of the statutes is amended to read:

15 39.155 (2) On or before January 15 and September 15 of each year, the Medical
16 College of Wisconsin, Inc., shall submit to the higher educational aids board for its
17 approval a list of the Wisconsin residents enrolled at the college who are paying full
18 tuition. The state shall make semiannual payments to the Medical College of
19 Wisconsin, Inc., from the appropriation under s. 20.250 (1) (a), upon approval of the
20 list. ~~If the appropriation under s. 20.250 (1) (a) is insufficient to pay the amount~~
21 ~~specified to be disbursed under s. 20.250 (1) (a), the payments shall be disbursed on~~
22 ~~a prorated basis for each student entitled to such aid.~~ No more than 8 such payments

1 may be made to the Medical College of Wisconsin, Inc., from the appropriation under
2 s. 20.250 (1) (a), for any individual student.

3 *~~1711/5.53~~* SECTION 950. 39.155 (2) of the statutes, as affected by 2003
4 Wisconsin Act (this act), is amended to read:

5 39.155 (2) On or before January 15 and September 15 of each year, the Medical
6 College of Wisconsin, Inc., shall submit to the ~~higher educational aids board~~ Board
7 of Regents of the University of Wisconsin System for its approval a list of the
8 Wisconsin residents enrolled at the college who are paying full tuition. The state
9 shall make semiannual payments to the Medical College of Wisconsin, Inc., from the
10 appropriation under s. 20.250 (1) (a), upon approval of the list. No more than 8 such
11 payments may be made to the Medical College of Wisconsin, Inc., from the
12 appropriation under s. 20.250 (1) (a), for any individual student.

***NOTE: This is reconciled s. 39.155 (2). This SECTION has been affected by drafts
with the following LRB numbers: LRB-1263/1 and LRB-1711/4.

13 *~~1263/1.4~~* SECTION 951. 39.155 (3) of the statutes is repealed.

14 *~~1711/5.54~~* SECTION 952. Subchapter III (title) of chapter 39 [precedes 39.26]
15 of the statutes is amended to read:

16 CHAPTER 39

17 SUBCHAPTER III

18 HIGHER EDUCATIONAL AIDS BOARD

19 *~~1711/5.55~~* SECTION 953. 39.26 of the statutes is amended to read:

20 **39.26 Definition.** In this subchapter, “board” means the ~~higher educational~~
21 ~~aids board~~ Board of Regents of the University of Wisconsin System.

22 *~~1711/5.56~~* SECTION 954. 39.28 (1) of the statutes is amended to read:

1 39.28 (1) The board shall administer the programs under this subchapter and
2 may ~~promulgate such rules~~ establish such policies as are necessary to carry out its
3 functions. The board may accept and use any funds ~~which it~~ that the board receives
4 from participating institutions, lenders, or agencies. The board may enter into such
5 contracts as are necessary to carry out its functions under this subchapter.

6 *-1711/5.57* SECTION 955. 39.285 (1) of the statutes is amended to read:

7 39.285 (1) ~~By May 1, 1998, and annually thereafter~~ Annually, by May 1, the
8 board shall approve, modify, or disapprove any proposed formula for the awarding
9 of grants for the upcoming academic year submitted under sub. (2) or (3) or s. 36.11
10 ~~(6)(e) or~~ 38.04 (7m).

11 *-1711/5.58* SECTION 956. 39.29 of the statutes is repealed.

12 *-1711/5.59* SECTION 957. 39.30 (3m) (b) of the statutes is amended to read:

13 39.30 (3m) (b) The board may not make initial awards of grants under this
14 section for an academic year in an amount that exceeds 122% of the amount
15 appropriated under s. ~~20.235 (1)~~ 20.285 (7) (b) for the fiscal year in which the grant
16 may be paid.

17 *-1711/5.60* SECTION 958. 39.325 (3) of the statutes is amended to read:

18 39.325 (3) The board shall ~~promulgate rules and establish~~ enact policies
19 establishing standards and methods of determining the amounts of loans, rates of
20 interest, and other administrative procedures consistent with P.L. 94-484, on July
21 29, 1979. The rates of interest shall be set as low as possible, but shall remain
22 sufficient to cover all costs of the program under this section.

23 *-1711/5.61* SECTION 959. 39.38 (2) of the statutes is amended to read:

24 39.38 (2) Grants under this section shall be based on financial need, as
25 determined by the board. The maximum grant shall not exceed \$2,200 per year, of

1 which not more than \$1,100 may be from the appropriation under s. ~~20.235 (1)~~ 20.285
2 (7) (k). State aid from this appropriation may be matched by a contribution from a
3 federally recognized American Indian tribe or band that is deposited in the general
4 fund and credited to the appropriation account under s. ~~20.235 (1)~~ 20.285 (7) (gm).
5 Grants shall be awarded to students for full-time or part-time attendance at any
6 accredited institution of higher education in this state. The board may not make a
7 grant under this section to a student whose name appears on the statewide support
8 lien docket under s. 49.854 (2) (b), unless the student provides to the board a payment
9 agreement that has been approved by the county child support agency under s. 59.53
10 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a). Grants shall
11 be renewable for up to 5 years if a recipient remains in good academic standing at
12 the institution that he or she is attending.

13 ***-1711/5.62* SECTION 960.** 39.39 (2) (a) of the statutes is amended to read:

14 39.39 (2) (a) Make stipend loans from the appropriations under s. ~~20.235 (1)~~
15 20.285 (7) (cg) and (gg).

16 ***-1711/5.63* SECTION 961.** 39.39 (2) (b) of the statutes is amended to read:

17 39.39 (2) (b) ~~Promulgate rules~~ Establish policies to administer this section,
18 including ~~rules~~ policies establishing loan amounts and the criteria and procedures
19 for loan forgiveness and for selecting loan recipients. Loan recipients shall be
20 selected on the basis of financial need, as determined by the board, using the needs
21 analysis methodology used under s. 39.435.

22 ***-1711/5.64* SECTION 962.** 39.393 (2) of the statutes is amended to read:

23 39.393 (2) ~~Beginning in the 2002-03 fiscal year, the~~ The board shall make loans
24 under this section from the appropriation under s. ~~20.235 (1)~~ 20.285 (7) (cm). The
25 maximum amount of loan for a person during any fiscal year is \$3,000. The

1 maximum that a person may receive under this section is \$15,000. The board shall
2 ensure that the terms of the loan do not require a loan recipient to repay the loan
3 while the recipient is enrolled in a program under sub. (1).

4 ***-1711/5.65* SECTION 963.** 39.393 (4) of the statutes is amended to read:

5 39.393 (4) The board shall ~~promulgate rules~~ establish policies to implement
6 and administer this section.

7 ***-1711/5.66* SECTION 964.** 39.395 (1) of the statutes is amended to read:

8 39.395 (1) The board shall establish a loan program to defray the cost of tuition
9 for persons enrolled in a teacher education program offered by the Milwaukee
10 Teacher Education Center, a nonstock, nonprofit corporation organized under ch.
11 181. Loans shall be made from the appropriation under s. ~~20.235(1)~~ 20.285 (7) (cu).

12 ***-1711/5.67* SECTION 965.** 39.395 (2) (b) of the statutes is amended to read:

13 39.395 (2) (b) The board shall ~~promulgate rules~~ establish policies to administer
14 this section.

15 ***-1711/5.68* SECTION 966.** 39.398 (1) (a) of the statutes is amended to read:

16 39.398 (1) (a) The board shall establish a loan program to defray the cost of
17 tuition, fees, and expenses for residents of this state enrolled in a program that
18 prepares persons to be licensed as teachers of visually impaired pupils or as
19 orientation and mobility instructors, as defined by the board ~~by rule~~, at an accredited
20 institution of higher education in this state or in a physically adjacent state, as
21 defined in s. 175.46 (1) (d). To the extent possible, the board shall give preference,
22 to persons who are likely to return to this state to work with visually impaired
23 persons.

24 ***-1711/5.69* SECTION 967.** 39.398 (1) (b) of the statutes is amended to read:

1 39.398 (1) (b) The board shall make loans under this section from the
2 appropriation under s. ~~20.235 (1)~~ 20.285 (7) (cx). The maximum amount of a loan for
3 a person during any fiscal year is \$10,000. The maximum amount that a person may
4 receive under this section is \$40,000. The terms of the loan shall provide that a loan
5 recipient is not required to repay the loan while the loan recipient is enrolled in the
6 preparatory program described in par. (a).

7 *~~1711/5.70~~* SECTION 968. 39.398 (2) (b) of the statutes is amended to read:

8 39.398 (2) (b) The board shall ~~promulgate rules~~ establish policies to administer
9 this section.

10 *~~1711/5.71~~* SECTION 969. 39.40 (3) of the statutes is amended to read:

11 39.40 (3) Loans under sub. (2) shall be made from the appropriation under s.
12 ~~20.235 (1)~~ 20.285 (7) (cr). The board shall forgive 25% of the loan and 25% of the
13 interest on the loan for each school year the recipient teaches in a school district
14 described under sub. (2) (d).

15 *~~1711/5.72~~* SECTION 970. 39.41 (1) (ae) of the statutes is repealed.

16 *~~1711/5.73~~* SECTION 971. 39.41 (1m) (b) of the statutes is amended to read:

17 39.41 (1m) (b) By February 15 of each school year, the school board of each
18 school district operating one or more high schools and the governing body of each
19 private high school may, for each high school with an enrollment of less than 80
20 pupils, nominate the senior with the highest grade point average in all subjects who
21 may be designated as a scholar by the ~~executive-secretary~~ board under par. (c) 3.

22 *~~1711/5.74~~* SECTION 972. 39.41 (1m) (c) (intro.) of the statutes is amended to
23 read:

24 39.41 (1m) (c) (intro.) The ~~executive-secretary~~ board shall:

25 *~~1711/5.75~~* SECTION 973. 39.41 (1m) (c) 5. of the statutes is amended to read:

1 39.41 (1m) (c) 5. For each public or private high school with an enrollment of
2 less than 80 pupils, notify the school board of the school district operating the public
3 high school or the governing body of the private high school that the school board or
4 governing body may nominate a senior under par. (b) who may be designated as a
5 scholar by the ~~executive secretary~~ board.

6 *~~-1711/5.76~~* SECTION 974. 39.41 (1m) (cm) of the statutes is amended to read:
7 39.41 (1m) (cm) The ~~executive secretary~~ board may grant waivers under par.
8 (m).

9 *~~-1711/5.77~~* SECTION 975. 39.41 (1m) (e) of the statutes is amended to read:
10 39.41 (1m) (e) Except as provided under par. (em), if 2 or more seniors from the
11 same high school of less than 80 pupils have the same grade point average and,
12 except for the limitation of one nominated senior, are otherwise eligible for
13 nomination under par. (b), the faculty of the high school shall select the senior who
14 may be nominated by the school board of the school district operating the public high
15 school or the governing body of the private high school for designation under par. (b)
16 as a scholar by the ~~executive secretary~~ board. If that senior is designated as a scholar
17 by the ~~executive secretary~~ board and does not qualify for a higher education
18 scholarship under sub. (2) (a) or (3) (a), faculty of the high school shall select one or
19 more of the remaining seniors with the same grade point average for certification as
20 a scholar and the school board of the school district operating the high school or the
21 governing body of the private high school shall certify to the board one or more of
22 these seniors as eligible for a higher education scholarship as a scholar under sub.
23 (2) (a) or (3) (a) until the scholarship may be awarded by the board.

24 *~~-1711/5.78~~* SECTION 976. 39.41 (1m) (em) of the statutes is amended to read:

1 39.41 (1m) (em) If the high school weights different courses differently to
2 determine a pupil's grade point average, and the senior designated as a scholar by
3 the ~~executive secretary~~ board under par. (e) does not qualify for a higher education
4 scholarship under sub. (2) (a) or (3) (a), the faculty of the high school shall select one
5 senior with the same grade point average for certification as a scholar, or, if there is
6 no senior with the same grade point average, one senior with the next highest grade
7 point average for certification as a scholar, and the school board of the school district
8 operating the high school or the governing body of the private high school shall
9 certify to the board the selected senior as eligible for a higher education scholarship
10 as a scholar under sub. (2) (a) or (3) (a) until the scholarship may be awarded by the
11 board.

12 *~~1711/5.79~~* SECTION 977. 39.41 (1m) (f) of the statutes is amended to read:

13 39.41 (1m) (f) If 2 or more seniors from the school operated by the Wisconsin
14 Center for the Blind and Visually Impaired have the same grade point average and,
15 except for the limitation of one designated senior, are otherwise eligible for
16 designation under par. (c) 1., the ~~executive secretary~~ board shall make the
17 designation under par. (c) 1. of the senior who may be eligible for a higher education
18 scholarship as a scholar and, if that senior does not qualify for a higher education
19 scholarship under sub. (2) (a) or (3) (a), shall designate one or more of the remaining
20 seniors with the same grade point average as eligible for a higher education
21 scholarship as a scholar under sub. (2) (a) or (3) (a) until the scholarship may be
22 awarded by the board.

23 *~~1711/5.80~~* SECTION 978. 39.41 (1m) (fm) of the statutes is amended to read:

24 39.41 (1m) (fm) If 2 or more seniors from the school operated by the Wisconsin
25 Educational Services Program for the Deaf and Hard of Hearing have the same grade

1 point average and, except for the limitation of one designated senior, are otherwise
2 eligible for designation under par. (c) 2., the ~~executive secretary board~~ shall make the
3 designation under par. (c) 2. of the senior who may be eligible for a higher education
4 scholarship as a scholar and, if that senior does not qualify for a higher education
5 scholarship under sub. (2) (a) or (3) (a), shall designate one or more of the remaining
6 seniors with the same grade point average as eligible for a higher education
7 scholarship as a scholar under sub. (2) (a) or (3) (a) until the scholarship may be
8 awarded by the board.

9 ***-1711/5.81* SECTION 979.** 39.41 (1m) (m) of the statutes is amended to read:

10 39.41 (1m) (m) Notwithstanding pars. (a), (b) and (d), if a high school ranks its
11 seniors on the basis of grades in academic subjects, the school board of the school
12 district operating the high school or the governing body of the private high school or,
13 for purposes of par. (d), the faculty of the high school may request a waiver from the
14 ~~executive secretary board~~ in order to fulfill its the requirements under par. (a), (b)
15 or (d) on the basis of grade point averages in academic subjects.

16 ***-1711/5.82* SECTION 980.** 39.41 (4) (b) of the statutes is amended to read:

17 39.41 (4) (b) The board shall make the payments under subs. (2) (c) and (3) from
18 the appropriation under s. ~~20.235 (1)~~ 20.285 (7) (fy).

19 ***-1711/5.83* SECTION 981.** 39.41 (8) of the statutes is amended to read:

20 39.41 (8) The ~~executive secretary board~~ shall ~~promulgate rules~~ enact policies
21 establishing criteria for the designation of scholars under sub. (1m) (c) 3.

22 ***-1711/5.84* SECTION 982.** 39.435 (2) of the statutes is amended to read:

23 39.435 (2) The board shall award talent incentive grants to uniquely needy
24 students enrolled at least half-time as first-time freshmen at public and private
25 nonprofit institutions located in this state and to sophomores, juniors, and seniors

1 who received such grants as freshmen. No grant under this subsection may exceed
2 \$1,800 for any academic year. The board may not award a grant to the same student
3 for more than 10 consecutive semesters or their equivalent. The board shall
4 ~~promulgate rules~~ enact policies establishing eligibility criteria for grants under this
5 subsection.

6 ***-1735/6.7* SECTION 983.** 39.435 (3) of the statutes is amended to read:

7 39.435 (3) Grants under sub. (1) shall not be less than \$250 during any one
8 academic year, unless the joint committee on finance approves an adjustment in the
9 amount of the minimum grant. ~~Grants under sub. (1) shall not exceed \$1,800 during~~
10 ~~any one academic year.~~ The board shall, by rule, establish a reporting system to
11 periodically provide student economic data and shall promulgate other rules the
12 board deems necessary to assure uniform administration of the program.

13 ***-1711/5.85* SECTION 984.** 39.435 (3) of the statutes, as affected by 2003
14 Wisconsin Act (this act), is amended to read:

15 39.435 (3) Grants under sub. (1) shall not be less than \$250 during any one
16 academic year, unless the joint committee on finance approves an adjustment in the
17 amount of the minimum grant. The board shall, ~~by rule, establish~~ enact policies
18 establishing a reporting system to periodically provide student economic data and
19 shall ~~promulgate other rules~~ enact other policies that the board deems considers
20 necessary to assure uniform administration of the program.

****NOTE: This is reconciled s. 39.435 (3). This SECTION has been affected by drafts
with the following LRB numbers: LRB-1735/5 and LRB-1711/4.

21 ***-1711/5.86* SECTION 985.** 39.435 (7) (a) 1. of the statutes is amended to read:

22 39.435 (7) (a) 1. For purposes of determining the appropriation under s. ~~20.235~~
23 ~~(1) 20.285 (7)~~ (fe) for fiscal year 2003–04, “base amount” means the amount shown

1 in the schedule under s. 20.005 for ~~that~~ the appropriation under s. 20.235 (1) (fe),
2 2001 stats., for fiscal year 2002–03.

3 ***-1711/5.87* SECTION 986.** 39.435 (7) (a) 2. of the statutes is amended to read:

4 39.435 (7) (a) 2. For purposes of determining the appropriation under s. ~~20.235~~
5 (1) ~~20.285 (7) (fe)~~ for each fiscal year after fiscal year 2003–04, “base amount” means
6 the maximum appropriation amount determined under par. (b) for the previous fiscal
7 year.

8 ***-1711/5.88* SECTION 987.** 39.435 (7) (b) (intro.) of the statutes is amended to
9 read:

10 39.435 (7) (b) (intro.) Annually, by February 1, the board shall determine the
11 appropriation under s. ~~20.235 (1)~~ 20.285 (7) (fe) for the next fiscal year as follows:

12 ***-1735/6.8* SECTION 988.** 39.435 (8) of the statutes is created to read:

13 39.435 (8) The board shall award grants under this section to University of
14 Wisconsin System students from the appropriations under s. 20.235 (1) (fe) and (ke).

15 ***-1711/5.89* SECTION 989.** 39.435 (8) of the statutes, as created by 2003
16 Wisconsin Act (this act), is amended to read:

17 39.435 (8) The board shall award grants under this section to University of
18 Wisconsin System students from the appropriations under s. ~~20.235 (1)~~ 20.285 (7) (fe)
19 and (ke).

****NOTE: This is reconciled s. 39.435 (8). This SECTION has been affected by drafts
with the following LRB numbers: LRB-1735/5 and LRB-1711/4.

20 ***-1711/5.90* SECTION 990.** 39.44 (2) of the statutes is amended to read:

21 39.44 (2) Funds for the grants under this section shall be distributed from the
22 appropriation under s. ~~20.235 (1)~~ 20.285 (7) (fg), with 50% distributed to the eligible

1 private institutions and 50% distributed to the eligible technical colleges. The board
2 shall audit the enrollment statistics annually.

3 ***-1711/5.91* SECTION 991.** 39.45 (6) of the statutes is amended to read:

4 39.45 (6) From the appropriation under s. ~~20.235 (1)~~ 20.285 (7) (fc), the board
5 shall use available funds to make grant awards under this section, but no award may
6 be made before March 1 for the fall semester or session of the upcoming academic
7 year.

8 ***-1711/5.92* SECTION 992.** 39.45 (7) of the statutes is amended to read:

9 39.45 (7) The board shall ~~promulgate rules~~ establish policies to administer this
10 section, including policies establishing criteria and procedures for repayment of
11 grants awarded under this section, including interest, by certain grant recipients
12 who no longer reside in this state or do not successfully complete requirements for
13 a degree. The board shall deposit in the general fund as general purpose
14 revenue ~~earned~~ all repayments of grants awarded under this section and the
15 interest on the grants.

16 ***-1676/1.2* SECTION 993.** 39.46 (2) (f) of the statutes is repealed.

17 ***-0912/2.1* SECTION 994.** 40.02 (17) (intro.) of the statutes is amended to read:

18 40.02 (17) (intro.) “Creditable service” means the creditable current and prior
19 service, expressed in years and fractions of a year to the nearest one-hundredth, for
20 which a participating employee receives or is considered to receive earnings under
21 sub. (22) (e) or (em) and for which contributions have been made as required by s.
22 40.05 (1) and (2) and creditable military service, ~~service credited under s. 40.25 (7)~~
23 40.285 (2) (b) and service credited under s. 40.29, expressed in years and fractions
24 of years to the nearest one-hundredth. How much service in any annual earnings
25 period is the full-time equivalent of one year of creditable service shall be

1 determined by rule by the department and the rules may provide for differing
2 equivalents for different types of employment. Except as provided under ~~pars. (i) and~~
3 ~~(k) s. 40.285 (2) (e) and (f)~~, the amount of creditable service for periods prior to
4 January 1, 1982, shall be the amount for which the participant was eligible under
5 the applicable laws and rules in effect prior to January 1, 1982. No more than one
6 year of creditable service shall be granted for any annual earnings period. Creditable
7 service is determined in the following manner for the following persons:

8 *~~0912/2.2~~* SECTION 995. 40.02 (17) (b) of the statutes is renumbered 40.285
9 (2) (d) and amended to read:

10 40.285 (2) (d) Qualifying service. Each participating employee in the Wisconsin
11 retirement system whose creditable service terminates on or after January 1, 1982,
12 who was previously a participant in the Wisconsin retirement fund and who has not
13 received a separation benefit may receive creditable service equal to the period of
14 service during any qualifying period under s. 41.02 (6) (c), 1969 stats., s. 66.901 (4)
15 (d), 1967 stats., or under any predecessor statute, but not to exceed 6 months. The
16 additional creditable service shall be granted upon application by the employee if the
17 applicant pays to the department a lump sum payment equal to 5% of one-twelfth
18 of the employee's highest earnings in a single annual earnings period multiplied by
19 the number of months of creditable service granted under this paragraph. ~~That~~
20 ~~amount shall be credited and treated as an employee required contribution for all~~
21 ~~purposes of the Wisconsin retirement system.~~

22 *~~0912/2.3~~* SECTION 996. 40.02 (17) (e) of the statutes is renumbered 40.285
23 (2) (c) and amended to read:

24 40.285 (2) (c) Uncredited elected official and executive participating employee
25 service. Each executive participating employee whose creditable service terminates

1 on or after May 3, 1988, and each participating employee who is a present or former
2 elected official or an appointee of a present or former elected official and who did not
3 receive creditable service under s. 40.02 (17) (e), 1987 stats., or s. 40.02 (17) (e), 1989
4 stats., and whose creditable service terminates on or after August 15, 1991, who was
5 previously in the position of the president of the University of Wisconsin System or
6 in a position designated under s. 20.923 (4), (8), or (9), but did not receive creditable
7 service because of age restrictions, may receive creditable service equal to the period
8 of executive service not credited if the participant pays to the department a lump sum
9 payment equal to 5.5% of one-twelfth of the employee's highest earnings in a single
10 annual earnings period multiplied by the number of months of creditable service
11 granted under this paragraph. ~~That amount shall be credited and treated as an~~
12 ~~employee required contribution for all purposes of the Wisconsin retirement system.~~

13 *~~0912/2.4~~* SECTION 997. 40.02 (17) (i) of the statutes is renumbered 40.285
14 (2) (e), and 40.285 (2) (e) (intro.) and 3., as renumbered, are amended to read:

15 40.285 (2) (e) *Teacher improvement leave.* (intro.) Each participating employee
16 in the Wisconsin retirement system whose creditable service terminates on or after
17 April 25, 1990, and whose earnings include compensation for teacher improvement
18 leave granted by the board of regents of ~~the Wisconsin state colleges~~ State Colleges
19 during the period beginning on January 1, 1964, and ending on August 31, 1967, in
20 a written and satisfied contract, may receive creditable service for the period for
21 which those earnings were received in an amount not to exceed one year if all of the
22 following apply:

23 3. The participant pays to the department a lump sum equal to 5% of
24 one-twelfth of the employee's highest earnings in a single annual earnings period
25 multiplied by the number of months of creditable service that is granted under this

1 paragraph. ~~That amount shall be credited and treated as employee required~~
2 ~~contributions for all purposes of the Wisconsin retirement system. No~~

3 4. The employer may does not pay any amount payable under this subdivision
4 paragraph on behalf of any participating employee.

5 ***-0912/2.5* SECTION 998.** 40.02 (17) (k) of the statutes is renumbered 40.285
6 (2) (f) and amended to read:

7 40.285 (2) (f) Uncredited junior teaching service. Each participating employee
8 whose creditable service terminates on or after May 11, 1990, and who submits to the
9 department proof that the participant performed service in this state as a junior
10 teacher, as defined in s. 42.20 (6), 1955 stats., that was not credited under s. 42.40,
11 1955 stats., shall receive creditable service for the period for which that service was
12 performed, even if the participant did not become a member of the state teachers
13 retirement system after performing that service, if all of the following occur:

14 1. The participant pays to the department a lump sum equal to 5% of
15 one-twelfth of the employee's highest earnings in a single annual earnings period
16 multiplied by the number of months of creditable service that is granted under this
17 paragraph. ~~That amount shall be credited and treated as employee required~~
18 ~~contributions for all purposes of the Wisconsin retirement system. No~~

19 2. The employer may does not pay any amount payable under this paragraph
20 on behalf of any participating employee.

21 ***-1712/5.25* SECTION 999.** 40.02 (25) (b) 2m. of the statutes is repealed.

22 ***-1698/3.1* SECTION 1000.** 40.02 (25) (b) 6e. of the statutes is created to read:

23 40.02 (25) (b) 6e. A state employee who terminates creditable service after
24 attaining 20 years of creditable service, remains a participant, and is not eligible for
25 an immediate annuity.

1 *~~1757/4.1~~* SECTION 1001. 40.03 (6) (c) of the statutes is amended to read:

2 40.03 (6) (c) Shall not enter into any agreements to modify or expand group
3 insurance coverage in a manner which conflicts with this chapter or rules of the
4 department or materially affects the level of premiums required to be paid by the
5 state or its employees, or the level of benefits to be provided, under any group
6 insurance coverage. This restriction shall not be construed to prevent modifications
7 required by law, prohibit the group insurance board from modifying the standard
8 plan to establish a more cost effective benefit plan design or providing optional
9 insurance coverages as alternatives to the standard insurance coverage when any
10 excess of required premium over the premium for the standard coverage is paid by
11 the employee or prohibit the group insurance board from providing other plans as
12 authorized under par. (b).

13 *~~0529/4.93~~* SECTION 1002. 40.04 (3) (c) of the statutes is amended to read:

14 40.04 (3) (c) The department shall advise the investment board and the state
15 treasurer secretary of administration as to the limitations on the amounts of cash to
16 be invested from investment trusts under this subsection in order to maintain the
17 cash balances deemed advisable to meet current annuity, benefit and expense
18 requirements.

19 *~~0912/2.6~~* SECTION 1003. 40.05 (1) (a) 7. of the statutes is repealed.

20 *~~0576/8.57~~* SECTION 1004. 40.05 (1) (b) of the statutes is amended to read:

21 40.05 (1) (b) In lieu of employee payment, the employer may pay all or part of
22 the contributions required by par. (a), but all the payments shall be available for
23 benefit purposes to the same extent as required contributions deducted from
24 earnings of the participating employees. Action to assume employee contributions
25 as provided under this paragraph shall be taken at the time and in the form

1 determined by the governing body of the participating employer. The state shall pay
2 under this paragraph for employees who are covered by a collective bargaining
3 agreement under subch. V of ch. 111 and for employees whose fringe benefits are
4 determined under s. 230.12 an amount equal to 4% of the earnings paid by the state
5 unless otherwise provided in a collective bargaining agreement under subch. V of ch.
6 111 or unless otherwise determined under s. 230.12. The University of Wisconsin
7 Hospitals and Clinics Authority shall pay under this paragraph for employees who
8 are covered by a collective bargaining agreement under subch. I of ch. 111 and for
9 employees whose fringe benefits are determined under s. 233.10 an amount equal to
10 4% of the earnings paid by the authority unless otherwise provided in a collective
11 bargaining agreement under subch. I of ch. 111 or unless otherwise determined
12 under s. 233.10. The state shall pay under this paragraph for employees who are not
13 covered by a collective bargaining agreement under subch. V of ch. 111 and for
14 employees whose fringe benefits are not determined under s. 230.12 an amount equal
15 to 4% of the earnings paid by the state unless a different amount is recommended by
16 the secretary of ~~employment relations~~ administration and approved by the joint
17 committee on employment relations in the manner provided for approval of changes
18 in the compensation plan under s. 230.12 (3). The University of Wisconsin Hospitals
19 and Clinics Authority shall pay under this paragraph for its employees who are not
20 covered by a collective bargaining agreement under subch. I of ch. 111 an amount
21 equal to 4% of the earnings paid by the authority unless a different amount is
22 established by the board of directors of the authority under s. 233.10.

23 ***-0912/2.7*** SECTION 1005. 40.05 (2) (bw) of the statutes is amended to read:
24 40.05 (2) (bw) The employer contribution rate determined under par. (b) for the
25 University of Wisconsin System shall be adjusted to reflect the cost of granting

1 creditable service under s. ~~40.02 (17) (i)~~ 40.285 (2) (e) and that rate shall be sufficient
2 to amortize the unfunded prior service liability of the employers over the remainder
3 of the 40-year amortization period under par. (b).

4 ***-0912/2.8* SECTION 1006.** 40.05 (2) (g) 1. of the statutes is amended to read:

5 40.05 (2) (g) 1. A participating employer may make contributions as provided
6 in its compensation agreements for any participating employee in addition to the
7 employer contributions required by this subsection. The additional employer
8 contributions made under this paragraph shall be available for all benefit purposes
9 and shall be administered and invested on the same basis as employee additional
10 contributions made under sub. (1) (a) 5., except that ss. 40.24 (1) (f) ~~and~~, 40.25 (4),
11 and ~~(6) (a) 3.~~ 40.285 (2) (a) 1. c. do not apply to additional employer contributions
12 made under this paragraph.

13 ***-1712/5.26* SECTION 1007.** 40.05 (4) (a) 2. of the statutes is amended to read:

14 40.05 (4) (a) 2. For an insured employee who is an eligible employee under s.
15 40.02 (25) (a) 2. or (b) 1m. ~~or 2m.~~, the employer shall pay required employer
16 contributions toward the health insurance premium of the insured employee
17 beginning on the date on which the employee becomes insured. For an insured
18 employee who is currently employed but who is not an eligible employee under s.
19 40.02 (25) (a) 2. or (b) 1m. ~~or 2m.~~, the employer shall pay required employer
20 contributions toward the health insurance premium of the insured employee
21 beginning on the first day of the 7th month beginning after the date on which the
22 employee begins employment with the state, not including any leave of absence.

23 ***-1757/4.2* SECTION 1008.** 40.05 (4) (ag) of the statutes is repealed and

24 recreated to read:

SECTION 1008

1 40.05 (4) (ag) Except as otherwise provided in accordance with a collective
2 bargaining agreement under subch. I or V of ch. 111 or s. 230.12 or 233.10, the
3 employer shall pay for its currently employed insured employees:

4 1. For insured part-time employees, including those in project positions as
5 defined in s. 230.27 (1), who are appointed to work less than 1,044 hours per year,
6 an amount equal to 50% of the employer contribution under subd. 2.

7 2. For eligible employees not specified in subd. 1., regardless of the plan
8 selected by the employee, not less than 80% of the average premium cost of plans
9 offered in the tier with the lowest employee premium cost under s. 40.51 (6).

10 *~~0576/8.58~~* **SECTION 1009.** 40.05 (4) (ar) of the statutes is amended to read:

11 40.05 (4) (ar) The employer shall pay under par. (a) for employees who are not
12 covered by a collective bargaining agreement under subch. I or V of ch. 111 and for
13 employees whose health insurance premium contribution rates are not determined
14 under s. 230.12 or 233.10 an amount equal to the amount specified in par. (ag) unless
15 a different amount is recommended by the secretary of ~~employment relations~~
16 administration and approved by the joint committee on employment relations in the
17 manner provided for approval of changes in the compensation plan under s. 230.12
18 (3).

19 *~~1698/3.2~~* **SECTION 1010.** 40.05 (4) (b) of the statutes is amended to read:

20 40.05 (4) (b) Except as provided under pars. (bc) and (bp), accumulated unused
21 sick leave under ss. 13.121 (4), 36.30, 230.35 (2), 233.10, and 757.02 (5) and subch.
22 I or V of ch. 111 of any eligible employee shall, at the time of death, upon qualifying
23 for an immediate annuity or for a lump sum payment under s. 40.25 (1) or upon
24 termination of creditable service and qualifying as an eligible employee under s.
25 40.02 (25) (b) 6. or 10., be converted, at the employee's ~~current~~ highest basic pay rate

1 he or she received while employed by the state, to credits for payment of health
2 insurance premiums on behalf of the employee or the employee's surviving insured
3 dependents. Any supplemental compensation that is paid to a state employee who
4 is classified under the state classified civil service as a teacher, teacher supervisor,
5 or education director for the employee's completion of educational courses that have
6 been approved by the employee's employer is considered as part of the employee's
7 basic pay for purposes of this paragraph. The full premium for any eligible employee
8 who is insured at the time of retirement, or for the surviving insured dependents of
9 an eligible employee who is deceased, shall be deducted from the credits until the
10 credits are exhausted and paid from the account under s. 40.04 (10), and then
11 deducted from annuity payments, if the annuity is sufficient. The department shall
12 provide for the direct payment of premiums by the insured to the insurer if the
13 premium to be withheld exceeds the annuity payment. Upon conversion of an
14 employee's unused sick leave to credits under this paragraph or par. (bf), the
15 employee or, if the employee is deceased, the employee's surviving insured
16 dependents may initiate deductions from those credits or may elect to delay
17 initiation of deductions from those credits, but only if the employee or surviving
18 insured dependents are covered by a comparable health insurance plan or policy
19 during the period beginning on the date of the conversion and ending on the date on
20 which the employee or surviving insured dependents later elect to initiate
21 deductions from those credits. If an employee or an employee's surviving insured
22 dependents elect to delay initiation of deductions from those credits, an employee or
23 the employee's surviving insured dependents may only later elect to initiate
24 deductions from those credits during the annual enrollment period under par. (be).
25 A health insurance plan or policy is considered comparable if it provides hospital and

1 medical benefits that are substantially equivalent to the standard health insurance
2 plan established under s. 40.52 (1).

3 ***-1698/3.3* SECTION 1011.** 40.05 (4) (bc) of the statutes is amended to read:

4 40.05 (4) (bc) The accumulated unused sick leave of an eligible employee under
5 s. 40.02 (25) (b) 6e. or 6g. shall be converted to credits for the payment of health
6 insurance premiums on behalf of the employee on the date on which the department
7 receives the employee's application for a retirement annuity or for lump sum
8 payment under s. 40.25 (1). The employee's unused sick leave shall be converted at
9 the eligible employee's highest basic pay rate ~~immediately prior to termination of all~~
10 ~~creditable service~~ he or she received while employed by the state. The full premium
11 for the employee, or for the surviving insured dependents of the employee if the
12 employee later becomes deceased, shall be deducted from the credits until the credits
13 are exhausted and paid from the account under s. 40.04 (10), and then deducted from
14 annuity payments, if the annuity is sufficient. The department shall provide for the
15 direct payment of premiums by the insured to the insurer if the premium to be
16 withheld exceeds the annuity payment.

17 ***-1698/3.4* SECTION 1012.** 40.05 (4) (bf) of the statutes is amended to read:

18 40.05 (4) (bf) Any eligible employee who was granted credit under s. 230.35 (1)
19 (gm) for service as a national guard technician, who, on December 31, 1965, had
20 accumulated unused sick leave that was based on service performed in this state as
21 a national guard technician before January 1, 1966, and who is a participating
22 employee or terminated all creditable service after June 30, 1972, or, if the eligible
23 employee is deceased, the surviving insured dependents of the eligible employee,
24 may have that accumulated unused sick leave converted to credits for the payment
25 of health insurance premiums on behalf of the eligible employee or the surviving

1 insured dependents if, not later than November 30, 1996, the eligible employee or the
2 surviving insured dependents submit to the department, on a form provided by the
3 department, an application for the conversion. The application shall include
4 evidence satisfactory to the department to establish the applicant's rights under this
5 paragraph and the amount of the accumulated unused sick leave that is eligible for
6 the conversion. The accumulated unused sick leave shall be converted under this
7 paragraph, at the eligible employee's highest basic pay rate ~~immediately prior to~~
8 ~~termination of all creditable service he or she received while employed by the state,~~
9 on the date of conversion specified in par. (b) or on the last day of the 2nd month
10 beginning after the date on which the department receives the application under this
11 paragraph, whichever is later. Deductions from those credits, elections to delay
12 initiation of those deductions and premium payments shall be made as provided in
13 par. (b).

14 *–1698/3.5* SECTION 1013. 40.05 (4) (bm) of the statutes is amended to read:
15 40.05 (4) (bm) Except as provided under par. (bp), accumulated unused sick
16 leave under ss. 36.30 and 230.35 (2) or 233.10 of any eligible employee shall, upon
17 request of the employee at the time the employee is subject to layoff under s. 40.02
18 (40), be converted at the employee's current highest basic pay rate he or she received
19 while employed by the state to credits for payment of health insurance premiums on
20 behalf of the employee. Any supplemental compensation that is paid to a state
21 employee who is classified under the state classified civil service as a teacher, teacher
22 supervisor or education director for the employee's completion of educational courses
23 that have been approved by the employee's employer is considered as part of the
24 employee's basic pay for purposes of this paragraph. The full amount of the required
25 employee contribution for any eligible employee who is insured at the time of the

1 layoff shall be deducted from the credits until the credits are exhausted, the
2 employee is reemployed, or 5 years have elapsed from the date of layoff, whichever
3 occurs first.

4 ***-0576/8.59* SECTION 1014.** 40.05 (4g) (a) 4. of the statutes is amended to read:

5 40.05 (4g) (a) 4. Has received a military leave of absence under s. 230.32 (3) (a)
6 or 230.35 (3), under a collective bargaining agreement under subch. V of ch. 111 or
7 under rules promulgated by the secretary of ~~employment relations~~ administration
8 or is eligible for reemployment with the state under s. 45.50 after completion of his
9 or her service in the U.S. armed forces.

10 ***-0576/8.60* SECTION 1015.** 40.06 (1) (dm) of the statutes is amended to read:

11 40.06 (1) (dm) Each determination by a department head regarding the
12 classification of a state employee as a protective occupation participant shall be
13 reviewed by the department of ~~employment relations~~ administration. A state
14 employee's name may not be certified to the fund as a protective occupation
15 participant under par. (d) until the department of ~~employment relations~~
16 administration approves the determination.

17 ***-1895/2.1* SECTION 1016.** 40.23 (1) (a) of the statutes is amended to read:

18 40.23 (1) (a) Except as provided in par. (am), any participant who has attained
19 age 55, and any protective occupation participant who has attained age 50, on or
20 before the annuity effective date shall be entitled to a retirement annuity in
21 accordance with the actuarial tables in effect on the effective date of the annuity if
22 the participant submits an application for a retirement annuity on a form furnished
23 by the department and ~~all~~ any of the following ~~apply~~ applies:

24 1. The participant is not on a leave of absence from any participating employer
25 and is separated, regardless of cause, and continues to be separated until the annuity

1 effective date, the date 30 days after the application is received by the department
2 or the date 30 days after separation, whichever is later, from all employment meeting
3 the qualifications for inclusion specified in s. 40.22 for any participating employer.

4 2. The participant is not ~~on authorized leave of absence from any participating~~
5 employer separated from all covered employment but terminates all employment
6 with a participating employer and is employed by a different participating employer,
7 as determined under any applicable provision of the Internal Revenue Code. A
8 participant whose annuity is based on such a termination shall be treated under s.
9 40.26 with respect to all employment subsequent to that termination.

10 *~~1895/2.2~~* SECTION 1017. 40.23 (1) (a) 3. of the statutes is created to read:

11 40.23 (1) (a) 3. The participant has attained normal retirement age or a
12 combination of age and creditable service as of the annuity effective date such that
13 the annuity reduction calculated in the manner specified under sub. (2m) (f) is zero
14 or less, regardless of whether the participant's annuity benefit is actually paid under
15 sub. (3).

16 *~~0912/2.9~~* SECTION 1018. 40.23 (2m) (em) 1. a. of the statutes is amended to
17 read:

18 40.23 (2m) (em) 1. a. Any creditable service forfeited by a participating
19 employee before January 1, 2000, and which is subsequently reestablished by the
20 participating employee under s. ~~40.25(6)~~ 40.285 (2) (a), shall be considered to have
21 been performed before January 1, 2000.

22 *~~0912/2.10~~* SECTION 1019. 40.23 (2m) (em) 1. b. of the statutes is amended
23 to read:

1 40.23 (2m) (em) 1. b. Any creditable service received under s. ~~40.25 (7)~~ 40.285
2 (2) (b), which is based on service performed before January 1, 2000, shall be
3 considered to have been performed before January 1, 2000.

4 *~~1895/2.3~~* SECTION 1020. 40.25 (2) of the statutes is amended to read:

5 40.25 (2) Subject to sub. (2t), if s. 40.23 (1) (a) 1. applies and all requirements
6 for payment of a retirement annuity are met except attainment of age 55 or age 50
7 for protective occupation participants, a separation benefit may be paid, if the
8 participant's written application for a separation benefit is received by the
9 department prior to the participant's 55th birthday or 50th birthday for protective
10 occupation participants, in an amount equal to the additional and employee required
11 contribution accumulations of the participant on the date the application for a
12 separation benefit is approved.

13 *~~0912/2.11~~* SECTION 1021. 40.25 (3) of the statutes is amended to read:

14 40.25 (3) Upon administrative approval of payment of an amount under either
15 sub. (1) or (2), the participant's account shall be closed and there shall be no further
16 right, interest or claim on the part of the former participant to any benefit from the
17 Wisconsin retirement system except as provided by ~~subs. sub. (5) and (6)~~ s. 40.285
18 (2) (a). Any former participant who is subsequently employed by any participating
19 employer shall be treated as a new participating employee for all purposes of this
20 chapter. New accumulations of contributions and credits and the computation of any
21 future benefits shall bear no relationship to any accumulations and credits paid as
22 single sums under sub. (1) or (2).

23 *~~0912/2.12~~* SECTION 1022. 40.25 (6) of the statutes is repealed.

24 *~~0912/2.13~~* SECTION 1023. 40.25 (7) of the statutes is repealed.

25 *~~0912/2.14~~* SECTION 1024. 40.285 of the statutes is created to read:

1 **40.285 Purchase of creditable service. (1) GENERAL REQUIREMENTS. (a)**
2 *Deadline for purchase of creditable service.* An application to purchase creditable
3 service must be received by the department, on a form provided by the department,
4 from an applicant who is a participating employee on the day that the department
5 receives the application.

6 (b) *Calculation of creditable service.* Creditable service purchased under this
7 section shall be calculated in an amount equal to the year and fractions of a year to
8 the nearest one-hundredth of a year.

9 (c) *Use of creditable service.* Credit for service purchased under this section is
10 added to a participant's total creditable service, but may not be treated as service for
11 a particular annual earnings period and does not confer any other rights or benefits.

12 (d) *Applicability of Internal Revenue Code.* The crediting of service under this
13 section is subject to any applicable limit or requirement under the Internal Revenue
14 Code.

15 **(2) CONDITIONS FOR THE PURCHASE OF DIFFERENT TYPES OF CREDITABLE SERVICE. (a)**
16 *Forfeited service.* 1. A participating employee may purchase creditable service
17 forfeited in the manner specified in subd. 2., subject to all of the following:

18 a. The participating employee must have at least 3 continuous years of
19 creditable service at the time of application to purchase the creditable service.

20 b. The number of years that may be purchased may not be greater than the
21 accumulated current creditable service of the participating employee at the date of
22 application, excluding all creditable service purchased under this section or s. 40.02
23 (17) (b), 1981, 1983, 1985, 1987, 1989, 1991, 1993, 1995, 1997, 1999, and 2001 stats.,
24 s. 40.02 (17) (e), 1987, 1989, 1991, 1993, 1995, 1997, 1999, and 2001 stats., s. 40.02
25 (17) (i), 1989, 1991, 1993, 1995, 1997, 1999, and 2001 stats., s. 40.02 (17) (k), 1989,

1 1991, 1993, 1995, 1997, 1999, and 2001 stats., s. 40.25 (6), 1981, 1983, 1985, 1987,
2 1989, 1991, 1993, 1995, 1997, 1999, and 2001 stats., s. or 40.25 (7), 1991, 1993, 1995,
3 1997, 1999, and 2001 stats., less the number of years of creditable service previously
4 purchased under this paragraph or s. 40.25 (6), 1981, 1983, 1985, 1987, 1989, 1991,
5 1993, 1995, 1997, 1999, and 2001 stats.

6 c. The participating employee pays to the fund an amount equal to the
7 employee's statutory contribution on earnings under s. 40.05 (1) (a) for each year of
8 forfeited service to be purchased, based upon the participating employee's final
9 average earnings, determined as if the employee had retired on the first day of the
10 annual earnings period during which the department receives the application. The
11 amount payable shall be paid in a lump sum payment, except as provided in sub. (4)
12 (b), and no employer may pay any amount payable on behalf of a participating
13 employee.

14 d. Upon receipt by the fund of the total payment required under this
15 subdivision, the creditable service meeting the conditions and requirements of this
16 paragraph shall be credited to the account of the participating employee making the
17 payment.

18 2. Creditable service may be purchased under this paragraph if it was forfeited
19 as a result of any of the following:

20 a. Payment of an amount under s. 40.25 (2).

21 b. The receipt of a separation or withdrawal benefit under the applicable laws
22 and rules in effect prior to January 1, 1982.

23 c. Payment of an amount under s. 40.25 (2m), 1991, 1993, 1995, and 1997 stats.

1 3. Unless otherwise provided by the department by rule, a participating
2 employee may not purchase creditable service under this paragraph more than 2
3 times in any calendar year.

4 (b) *Other governmental service.* 1. Each participating employee whose
5 creditable service terminates on or after May 1, 1992, and who has performed
6 service, other than military service, as an employee of the federal government or a
7 state or local governmental entity in the United States, other than a participating
8 employer, that is located within or outside of this state, or each participating
9 employee whose creditable service terminates on or after May 4, 1994, and who has
10 performed service as an employee for an employer who was not at the time a
11 participating employer but who subsequently became a participating employer, may
12 receive creditable service for such service if all of the following occur:

13 a. The participant has at least 3 continuous years of creditable service at the
14 time of application.

15 b. The number of years of creditable service applied for under this paragraph
16 does not exceed the number of years of creditable service that the participant has at
17 the date of application, excluding all creditable service purchased under this section
18 or s. 40.02 (17) (b), 1981, 1983, 1985, 1987, 1989, 1991, 1993, 1995, 1997, 1999, and
19 2001 stats., s. 40.02 (17) (e), 1987, 1989, 1991, 1993, 1995, 1997, 1999, and 2001
20 stats., s. 40.02 (17) (i), 1989, 1991, 1993, 1995, 1997, 1999, and 2001 stats., s. 40.02
21 (17) (k), 1989, 1991, 1993, 1995, 1997, 1999, and 2001 stats., s. 40.25 (6), 1981, 1983,
22 1985, 1987, 1989, 1991, 1993, 1995, 1997, 1999, and 2001 stats., or s. 40.25 (7), 1991,
23 1993, 1995, 1997, 1999, and 2001 stats., less the number of years of creditable service
24 previously purchased under this paragraph or s. 40.25 (7), 1991, 1993, 1995, 1997,
25 1999, and 2001 stats.

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1 c. At the time of application, the participant furnishes evidence of such service
2 that is acceptable to the department.

3 d. Except as provided in sub. (4) (b), at the time of application, the participant
4 pays to the department a lump sum equal to the present value of the creditable
5 service applied for under this paragraph, in accordance with rates actuarially
6 determined to be sufficient to fund the cost of the increased benefits that will result
7 from granting the creditable service under this paragraph. The department shall by
8 rule establish different rates for different categories of participants, based on factors
9 recommended by the actuary.

10 2. The creditable service granted under this paragraph shall be the same type
11 of creditable service as the type that is granted to participants who are not executive
12 participating employees, elected officials, or protective occupation participants.

13 3. A participating employee may apply to receive part or all of the creditable
14 service that he or she is eligible to receive under this paragraph.

15 4. A participant may not receive creditable service under this paragraph for
16 service that is used for the purpose of establishing entitlement to, or the amount of,
17 any other benefit to be paid by any federal, state, or local government entity, except
18 a disability or OASDHI benefit or a benefit paid for service in the national guard.

19 5. Unless otherwise provided by the department by rule, a participating
20 employee may not purchase creditable service under this paragraph more than 2
21 times in any calendar year.

22 (3) APPLICATION PROCESS. (a) *Provision of application forms and estimates.*
23 Upon request, the department shall provide a participating employee an application
24 form for the purchase of creditable service under sub. (2) and shall also provide to the
25 participating employee an estimate of the cost of purchasing the creditable service.