

SENATE BILL

SECTION 933

1 *~~1735/6.5~~* SECTION 933. 36.25 (14) of the statutes is amended to read:

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

11 *~~0666/9.39~~* SECTION 934. 36.25 (38) (a) of the statutes is amended to read:

12 36.25 (38) (a) In this subsection, “educational technology” has the meaning
13 given in s. ~~44.70~~ 115.997 (3).

14 *~~1289/7.106~~* SECTION 935. 36.25 (38) (b) 6. of the statutes is amended to read:

15 36.25 (38) (b) 6. To pay the department of ~~electronic government~~
16 administration for telecommunications services provided under s. ~~22.05~~ 16.972 (1).

17 *~~0576/8.56~~* SECTION 936. 36.27 (1) (am) 2. of the statutes is amended to read:

18 36.27 (1) (am) 2. The approved recommendations of the secretary of
19 ~~employment relations~~ administration for compensation and fringe benefits for
20 classified staff, for unclassified employees specified in s. 230.12 (1) (a) 1. b., and for
21 unclassified employees specified in s. 230.12 (3) (e). If these recommendations have
22 not been approved by the joint committee on employment relations by the time the
23 board sets academic fees, the board may raise academic fees for resident
24 undergraduate students by an amount sufficient to fund the recommendations of the
25 secretary of ~~employment relations~~ administration for compensation and fringe

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

25 ***-1724/2.1*** SECTION 937. 36.27 (2) (cr) of the statutes is created to read:

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1 36.27 (2) (cr) A person who is a citizen of a country other than the United States
2 is entitled to the exemption under par. (a) if that person meets all of the following
3 requirements:

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

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

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

12 *~~1711/5.50~~* SECTION 938. 36.31 (3) of the statutes is repealed.

13 *~~1735/6.6~~* SECTION 939. 36.34 (1) (b) of the statutes is amended to read:

14 36.34 (1) (b) The board shall establish a grant program for minority
15 undergraduates enrolled in the system. The board shall designate all grants under
16 this subsection as Lawton grants. Grants shall be awarded from the ~~appropriation~~
17 appropriations under s. 20.285 (4) (dd) and (g). The board may not make a grant
18 under this subsection to a person whose name appears on the statewide support lien
19 docket under s. 49.854 (2) (b), unless the person provides to the board a payment
20 agreement that has been approved by the county child support agency under s. 59.53
21 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a).

22 *~~0529/4.91~~* SECTION 940. 36.51 (6) of the statutes is amended to read:

23 36.51 (6) The college campus or institution may file a claim with the
24 department of public instruction for reimbursement for reasonable expenses
25 incurred, excluding capital equipment costs, but not to exceed 15% of the cost of the

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1 meal or 50 cents per meal, whichever is less. Any cost in excess of the lesser amount
2 may be charged to participants. If the department of public instruction approves the
3 claim, it shall certify that payment is due and the ~~state treasurer~~ secretary of
4 administration shall pay the claim from the appropriation under s. 20.255 (2) (cn).

5 *~~1711/5.51~~* **SECTION 941.** 38.04 (7m) of the statutes is amended to read:

6 38.04 (7m) FINANCIAL AIDS. ~~By April 10, 1998, and annually thereafter~~
7 Annually, by April 10, the board shall develop and submit to the ~~higher educational~~
8 ~~aids board~~ Board of Regents of the University of Wisconsin System for its review
9 under s. 39.285 (1) a proposed formula for the awarding of grants under s. 39.435,
10 except for grants awarded under s. 39.435 (2) or (5), for the upcoming academic year
11 to students enrolled in the technical colleges.

12 *~~1733/1.4~~* **SECTION 942.** 38.04 (19) of the statutes is repealed.

13 *~~1733/1.5~~* **SECTION 943.** 38.04 (28) of the statutes is created to read:

14 38.04 (28) HEALTH CARE EDUCATION PROGRAMS. From the appropriation under
15 s. 20.292 (1) (ch), the board shall award grants to district boards to expand health
16 care education programs.

17 *~~1733/1.6~~* **SECTION 944.** 38.28 (1m) (a) 1. of the statutes is amended to read:

18 38.28 (1m) (a) 1. “District aidable cost” means the annual cost of operating a
19 technical college district, including debt service charges for district bonds and
20 promissory notes for building programs or capital equipment, but excluding all
21 expenditures relating to auxiliary enterprises and community service programs, all
22 expenditures funded by or reimbursed with federal revenues, all receipts under sub.
23 (6) and ss. 38.12 (9), 38.14 (3) and (9), 118.15 (2) (a), 118.55 (7r), and 146.55 (5), all
24 receipts from grants awarded under ss. 38.04 (8), ~~(19)~~, (20), ~~(28)~~, and (31), 38.14 (11),

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1 38.26, 38.27, ~~38.31~~, 38.33, and 38.38, all fees collected under s. 38.24, and driver
2 education and chauffeur training aids.

3 ***-1733/1.7* SECTION 945.** 38.31 of the statutes is repealed.

4 ***-0529/4.92* SECTION 946.** 38.36 (6) of the statutes is amended to read:

5 38.36 (6) The district board may file a claim with the department of public
6 instruction for reimbursement for reasonable expenses incurred, excluding capital
7 equipment costs, but not to exceed 15% of the cost of the meal or 50 cents per meal,
8 whichever is less. Any cost in excess of the lesser amount may be charged to
9 participants. If the department of public instruction approves the claim, it shall
10 certify that payment is due and the ~~state treasurer~~ secretary of administration shall
11 pay the claim from the appropriation under s. 20.255 (2) (cn).

12 ***-0602/1.3* SECTION 947.** 39.11 (16g) of the statutes is amended to read:

13 39.11 (16g) Expend at least \$140,200 in each fiscal year ~~1994-95 and every~~
14 ~~fiscal year thereafter~~ for the development and periodic update of instructional
15 television programs that are specific to this state for use in schools. Funds may be
16 expended for the programs from the appropriation under s. 20.225 (1) (f), (g), ~~(h)~~ or
17 (m).

18 ***-1263/1.2* SECTION 948.** 39.155 (1) of the statutes is amended to read:

19 39.155 (1) ~~Subject to sub. (3), all~~ All funds appropriated to the Medical College
20 of Wisconsin, Inc., under s. 20.250 (1) (a) shall be based on a per capita formula for
21 an amount for each Wisconsin resident enrolled at the college who is paying full
22 tuition. A student's qualification as a resident of this state shall be determined by
23 the higher educational aids board in accordance with s. 36.27, so far as applicable.

24 ***-1711/5.52* SECTION 949.** 39.155 (1) of the statutes, as affected by 2003
25 Wisconsin Act ... (this act), is amended to read:

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1 39.155 (1) All funds appropriated to the Medical College of Wisconsin, Inc.,
2 under s. 20.250 (1) (a) shall be based on a per capita formula for an amount for each
3 Wisconsin resident enrolled at the college who is paying full tuition. A student's
4 qualification as a resident of this state shall be determined by the ~~higher educational~~
5 ~~aids board~~ Board of Regents of the University of Wisconsin System in accordance
6 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.

7 *~~1263/1.3~~* SECTION 950. 39.155 (2) of the statutes is amended to read:

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

18 *~~1711/5.53~~* SECTION 951. 39.155 (2) of the statutes, as affected by 2003
19 Wisconsin Act ... (this act), is amended to read:

20 39.155 (2) On or before January 15 and September 15 of each year, the Medical
21 College of Wisconsin, Inc., shall submit to the ~~higher educational aids board~~ Board
22 of Regents of the University of Wisconsin System for its approval a list of the
23 Wisconsin residents enrolled at the college who are paying full tuition. The state

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1 shall make semiannual payments to the Medical College of Wisconsin, Inc., from the
2 appropriation under s. 20.250 (1) (a), upon approval of the list. No more than 8 such
3 payments may be made to the Medical College of Wisconsin, Inc., from the
4 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.

5 ***-1263/1.4* SECTION 952.** 39.155 (3) of the statutes is repealed.

6 ***-1711/5.54* SECTION 953.** Subchapter III (title) of chapter 39 [precedes 39.26]
7 of the statutes is amended to read:

8 **CHAPTER 39**

9 **SUBCHAPTER III**

10 **HIGHER EDUCATIONAL AIDS BOARD**

11 ***-1711/5.55* SECTION 954.** 39.26 of the statutes is amended to read:

12 **39.26 Definition.** In this subchapter, “board” means the ~~higher educational~~
13 ~~aids board~~ Board of Regents of the University of Wisconsin System.

14 ***-1711/5.56* SECTION 955.** 39.28 (1) of the statutes is amended to read:

15 39.28 (1) The board shall administer the programs under this subchapter and
16 may ~~promulgate such rules~~ establish such policies as are necessary to carry out its
17 functions. The board may accept and use any funds ~~which it~~ that the board receives
18 from participating institutions, lenders, or agencies. The board may enter into such
19 contracts as are necessary to carry out its functions under this subchapter.

20 ***-1711/5.57* SECTION 956.** 39.285 (1) of the statutes is amended to read:

21 39.285 (1) ~~By May 1, 1998, and annually thereafter~~ Annually, by May 1, the
22 board shall approve, modify, or disapprove any proposed formula for the awarding

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1 of grants for the upcoming academic year submitted under sub. (2) or (3) or s. ~~36.11~~
2 ~~(6)(e)~~ or 38.04 (7m).

3 ***-1711/5.58* SECTION 957.** 39.29 of the statutes is repealed.

4 ***-1711/5.59* SECTION 958.** 39.30 (3m) (b) of the statutes is amended to read:

5 39.30 **(3m)** (b) The board may not make initial awards of grants under this
6 section for an academic year in an amount that exceeds 122% of the amount
7 appropriated under s. ~~20.235(1)~~ 20.285 (7) (b) for the fiscal year in which the grant
8 may be paid.

9 ***-1711/5.60* SECTION 959.** 39.325 (3) of the statutes is amended to read:

10 39.325 **(3)** The board shall ~~promulgate rules and establish~~ enact policies
11 establishing standards and methods of determining the amounts of loans, rates of
12 interest, and other administrative procedures consistent with P.L. 94-484, on July
13 29, 1979. The rates of interest shall be set as low as possible, but shall remain
14 sufficient to cover all costs of the program under this section.

15 ***-1711/5.61* SECTION 960.** 39.38 (2) of the statutes is amended to read:

16 39.38 **(2)** Grants under this section shall be based on financial need, as
17 determined by the board. The maximum grant shall not exceed \$2,200 per year, of
18 which not more than \$1,100 may be from the appropriation under s. ~~20.235(1)~~ 20.285
19 (7) (k). State aid from this appropriation may be matched by a contribution from a
20 federally recognized American Indian tribe or band that is deposited in the general
21 fund and credited to the appropriation account under s. ~~20.235(1)~~ 20.285 (7) (gm).
22 Grants shall be awarded to students for full-time or part-time attendance at any
23 accredited institution of higher education in this state. The board may not make a
24 grant under this section to a student whose name appears on the statewide support
25 lien docket under s. 49.854 (2) (b), unless the student provides to the board a payment

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1 agreement that has been approved by the county child support agency under s. 59.53
2 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a). Grants shall
3 be renewable for up to 5 years if a recipient remains in good academic standing at
4 the institution that he or she is attending.

5 ***-1711/5.62* SECTION 961.** 39.39 (2) (a) of the statutes is amended to read:

6 39.39 (2) (a) Make stipend loans from the appropriations under s. ~~20.235 (1)~~
7 20.285 (7) (cg) and (gg).

8 ***-1711/5.63* SECTION 962.** 39.39 (2) (b) of the statutes is amended to read:

9 39.39 (2) (b) ~~Promulgate rules~~ Establish policies to administer this section,
10 including ~~rules~~ policies establishing loan amounts and the criteria and procedures
11 for loan forgiveness and for selecting loan recipients. Loan recipients shall be
12 selected on the basis of financial need, as determined by the board, using the needs
13 analysis methodology used under s. 39.435.

14 ***-1711/5.64* SECTION 963.** 39.393 (2) of the statutes is amended to read:

15 39.393 (2) ~~Beginning in the 2002–03 fiscal year, the~~ The board shall make loans
16 under this section from the appropriation under s. ~~20.235 (1)~~ 20.285 (7) (cm). The
17 maximum amount of loan for a person during any fiscal year is \$3,000. The
18 maximum that a person may receive under this section is \$15,000. The board shall
19 ensure that the terms of the loan do not require a loan recipient to repay the loan
20 while the recipient is enrolled in a program under sub. (1).

21 ***-1711/5.65* SECTION 964.** 39.393 (4) of the statutes is amended to read:

22 39.393 (4) The board shall ~~promulgate rules~~ establish policies to implement
23 and administer this section.

24 ***-1711/5.66* SECTION 965.** 39.395 (1) of the statutes is amended to read:

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

5 *~~1711/5.67~~* **SECTION 966.** 39.395 (2) (b) of the statutes is amended to read:

6 39.395 (2) (b) The board shall ~~promulgate rules~~ establish policies to administer
7 this section.

8 *~~1711/5.68~~* **SECTION 967.** 39.398 (1) (a) of the statutes is amended to read:

9 39.398 (1) (a) The board shall establish a loan program to defray the cost of
10 tuition, fees, and expenses for residents of this state enrolled in a program that
11 prepares persons to be licensed as teachers of visually impaired pupils or as
12 orientation and mobility instructors, as defined by the board ~~by rule~~, at an accredited
13 institution of higher education in this state or in a physically adjacent state, as
14 defined in s. 175.46 (1) (d). To the extent possible, the board shall give preference,
15 to persons who are likely to return to this state to work with visually impaired
16 persons.

17 *~~1711/5.69~~* **SECTION 968.** 39.398 (1) (b) of the statutes is amended to read:

18 39.398 (1) (b) The board shall make loans under this section from the
19 appropriation under s. ~~20.235 (1)~~ 20.285 (7) (cx). The maximum amount of a loan for
20 a person during any fiscal year is \$10,000. The maximum amount that a person may
21 receive under this section is \$40,000. The terms of the loan shall provide that a loan
22 recipient is not required to repay the loan while the loan recipient is enrolled in the
23 preparatory program described in par. (a).

24 *~~1711/5.70~~* **SECTION 969.** 39.398 (2) (b) of the statutes is amended to read:

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1 39.398 (2) (b) The board shall ~~promulgate rules~~ establish policies to administer
2 this section.

3 *~~1711/5.71~~* SECTION 970. 39.40 (3) of the statutes is amended to read:

4 39.40 (3) Loans under sub. (2) shall be made from the appropriation under s.
5 ~~20.235 (1)~~ 20.285 (7) (cr). The board shall forgive 25% of the loan and 25% of the
6 interest on the loan for each school year the recipient teaches in a school district
7 described under sub. (2) (d).

8 *~~1711/5.72~~* SECTION 971. 39.41 (1) (ae) of the statutes is repealed.

9 *~~1711/5.73~~* SECTION 972. 39.41 (1m) (b) of the statutes is amended to read:

10 39.41 (1m) (b) By February 15 of each school year, the school board of each
11 school district operating one or more high schools and the governing body of each
12 private high school may, for each high school with an enrollment of less than 80
13 pupils, nominate the senior with the highest grade point average in all subjects who
14 may be designated as a scholar by the ~~executive secretary~~ board under par. (c) 3.

15 *~~1711/5.74~~* SECTION 973. 39.41 (1m) (c) (intro.) of the statutes is amended to
16 read:

17 39.41 (1m) (c) (intro.) The ~~executive secretary~~ board shall:

18 *~~1711/5.75~~* SECTION 974. 39.41 (1m) (c) 5. of the statutes is amended to read:

19 39.41 (1m) (c) 5. For each public or private high school with an enrollment of
20 less than 80 pupils, notify the school board of the school district operating the public
21 high school or the governing body of the private high school that the school board or
22 governing body may nominate a senior under par. (b) who may be designated as a
23 scholar by the ~~executive secretary~~ board.

24 *~~1711/5.76~~* SECTION 975. 39.41 (1m) (cm) of the statutes is amended to read:

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1 39.41 (1m) (cm) The ~~executive secretary~~ board may grant waivers under par.
2 (m).

3 *~~1711/5.77~~* **SECTION 976.** 39.41 (1m) (e) of the statutes is amended to read:

4 39.41 (1m) (e) Except as provided under par. (em), if 2 or more seniors from the
5 same high school of less than 80 pupils have the same grade point average and,
6 except for the limitation of one nominated senior, are otherwise eligible for
7 nomination under par. (b), the faculty of the high school shall select the senior who
8 may be nominated by the school board of the school district operating the public high
9 school or the governing body of the private high school for designation under par. (b)
10 as a scholar by the ~~executive secretary~~ board. If that senior is designated as a scholar
11 by the ~~executive secretary~~ board and does not qualify for a higher education
12 scholarship under sub. (2) (a) or (3) (a), faculty of the high school shall select one or
13 more of the remaining seniors with the same grade point average for certification as
14 a scholar and the school board of the school district operating the high school or the
15 governing body of the private high school shall certify to the board one or more of
16 these seniors as eligible for a higher education scholarship as a scholar under sub.
17 (2) (a) or (3) (a) until the scholarship may be awarded by the board.

18 *~~1711/5.78~~* **SECTION 977.** 39.41 (1m) (em) of the statutes is amended to read:

19 39.41 (1m) (em) If the high school weights different courses differently to
20 determine a pupil's grade point average, and the senior designated as a scholar by
21 the ~~executive secretary~~ board under par. (e) does not qualify for a higher education
22 scholarship under sub. (2) (a) or (3) (a), the faculty of the high school shall select one
23 senior with the same grade point average for certification as a scholar, or, if there is
24 no senior with the same grade point average, one senior with the next highest grade
25 point average for certification as a scholar, and the school board of the school district

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1 operating the high school or the governing body of the private high school shall
2 certify to the board the selected senior as eligible for a higher education scholarship
3 as a scholar under sub. (2) (a) or (3) (a) until the scholarship may be awarded by the
4 board.

5 ***-1711/5.79* SECTION 978.** 39.41 (1m) (f) of the statutes is amended to read:
6 39.41 (1m) (f) If 2 or more seniors from the school operated by the Wisconsin
7 Center for the Blind and Visually Impaired have the same grade point average and,
8 except for the limitation of one designated senior, are otherwise eligible for
9 designation under par. (c) 1., the ~~executive-secretary~~ board shall make the
10 designation under par. (c) 1. of the senior who may be eligible for a higher education
11 scholarship as a scholar and, if that senior does not qualify for a higher education
12 scholarship under sub. (2) (a) or (3) (a), shall designate one or more of the remaining
13 seniors with the same grade point average as eligible for a higher education
14 scholarship as a scholar under sub. (2) (a) or (3) (a) until the scholarship may be
15 awarded by the board.

16 ***-1711/5.80* SECTION 979.** 39.41 (1m) (fm) of the statutes is amended to read:
17 39.41 (1m) (fm) If 2 or more seniors from the school operated by the Wisconsin
18 Educational Services Program for the Deaf and Hard of Hearing have the same grade
19 point average and, except for the limitation of one designated senior, are otherwise
20 eligible for designation under par. (c) 2., the ~~executive-secretary~~ board shall make the
21 designation under par. (c) 2. of the senior who may be eligible for a higher education
22 scholarship as a scholar and, if that senior does not qualify for a higher education
23 scholarship under sub. (2) (a) or (3) (a), shall designate one or more of the remaining
24 seniors with the same grade point average as eligible for a higher education

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1 scholarship as a scholar under sub. (2) (a) or (3) (a) until the scholarship may be
2 awarded by the board.

3 ***-1711/5.81* SECTION 980.** 39.41 (1m) (m) of the statutes is amended to read:

4 39.41 (1m) (m) Notwithstanding pars. (a), (b) and (d), if a high school ranks its
5 seniors on the basis of grades in academic subjects, the school board of the school
6 district operating the high school or the governing body of the private high school or,
7 for purposes of par. (d), the faculty of the high school may request a waiver from the
8 ~~executive secretary~~ board in order to fulfill its the requirements under par. (a), (b)
9 or (d) on the basis of grade point averages in academic subjects.

10 ***-1711/5.82* SECTION 981.** 39.41 (4) (b) of the statutes is amended to read:

11 39.41 (4) (b) The board shall make the payments under subs. (2) (c) and (3) from
12 the appropriation under s. ~~20.235 (1)~~ 20.285 (7) (fy).

13 ***-1711/5.83* SECTION 982.** 39.41 (8) of the statutes is amended to read:

14 39.41 (8) The ~~executive secretary~~ board shall ~~promulgate rules~~ enact policies
15 establishing criteria for the designation of scholars under sub. (1m) (c) 3.

16 ***-1711/5.84* SECTION 983.** 39.435 (2) of the statutes is amended to read:

17 39.435 (2) The board shall award talent incentive grants to uniquely needy
18 students enrolled at least half-time as first-time freshmen at public and private
19 nonprofit institutions located in this state and to sophomores, juniors, and seniors
20 who received such grants as freshmen. No grant under this subsection may exceed
21 \$1,800 for any academic year. The board may not award a grant to the same student
22 for more than 10 consecutive semesters or their equivalent. The board shall
23 ~~promulgate rules~~ enact policies establishing eligibility criteria for grants under this
24 subsection.

25 ***-1735/6.7* SECTION 984.** 39.435 (3) of the statutes is amended to read:

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

7 *~~1711/5.85~~* SECTION 985. 39.435 (3) of the statutes, as affected by 2003
8 Wisconsin Act (this act), is amended to read:

9 39.435 (3) Grants under sub. (1) shall not be less than \$250 during any one
10 academic year, unless the joint committee on finance approves an adjustment in the
11 amount of the minimum grant. The board shall, ~~by rule, establish~~ enact policies
12 establishing a reporting system to periodically provide student economic data and
13 shall ~~promulgate other rules~~ enact other policies that the board deems considers
14 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.

15 *~~1711/5.86~~* SECTION 986. 39.435 (7) (a) 1. of the statutes is amended to read:

16 39.435 (7) (a) 1. For purposes of determining the appropriation under s. ~~20.235~~
17 ~~(1) 20.285 (7) (fe)~~ for fiscal year 2003–04, “base amount” means the amount shown
18 in the schedule under s. 20.005 for ~~that~~ the appropriation under s. 20.235 (1) (fe),
19 2001 stats., for fiscal year 2002–03.

20 *~~1711/5.87~~* SECTION 987. 39.435 (7) (a) 2. of the statutes is amended to read:

21 39.435 (7) (a) 2. For purposes of determining the appropriation under s. ~~20.235~~
22 ~~(1) 20.285 (7) (fe)~~ for each fiscal year after fiscal year 2003–04, “base amount” means

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1 the maximum appropriation amount determined under par. (b) for the previous fiscal
2 year.

3 ***-1711/5.88* SECTION 988.** 39.435 (7) (b) (intro.) of the statutes is amended to
4 read:

5 39.435 (7) (b) (intro.) Annually, by February 1, the board shall determine the
6 appropriation under s. ~~20.235 (1)~~ 20.285 (7) (fe) for the next fiscal year as follows:

7 ***-1735/6.8* SECTION 989.** 39.435 (8) of the statutes is created to read:

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

10 ***-1711/5.89* SECTION 990.** 39.435 (8) of the statutes, as created by 2003
11 Wisconsin Act (this act), is amended to read:

12 39.435 (8) The board shall award grants under this section to University of
13 Wisconsin System students from the appropriations under s. ~~20.235 (1)~~ 20.285 (7) (fe)
14 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.

15 ***-1711/5.90* SECTION 991.** 39.44 (2) of the statutes is amended to read:

16 39.44 (2) Funds for the grants under this section shall be distributed from the
17 appropriation under s. ~~20.235 (1)~~ 20.285 (7) (fg), with 50% distributed to the eligible
18 private institutions and 50% distributed to the eligible technical colleges. The board
19 shall audit the enrollment statistics annually.

20 ***-1711/5.91* SECTION 992.** 39.45 (6) of the statutes is amended to read:

21 39.45 (6) From the appropriation under s. ~~20.235 (1)~~ 20.285 (7) (fc), the board
22 shall use available funds to make grant awards under this section, but no award may

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SECTION 992

1 be made before March 1 for the fall semester or session of the upcoming academic
2 year.

3 ***-1711/5.92* SECTION 993.** 39.45 (7) of the statutes is amended to read:

4 39.45 (7) The board shall ~~promulgate rules~~ establish policies to administer this
5 section, including policies establishing criteria and procedures for repayment of
6 grants awarded under this section, including interest, by certain grant recipients
7 who no longer reside in this state or do not successfully complete requirements for
8 a degree. The board shall deposit in the general fund as general purpose
9 revenue—earned all repayments of grants awarded under this section and the
10 interest on the grants.

11 ***-1676/1.2* SECTION 994.** 39.46 (2) (f) of the statutes is repealed.

12 ***-0912/2.1* SECTION 995.** 40.02 (17) (intro.) of the statutes is amended to read:

13 40.02 (17) (intro.) “Creditable service” means the creditable current and prior
14 service, expressed in years and fractions of a year to the nearest one—hundredth, for
15 which a participating employee receives or is considered to receive earnings under
16 sub. (22) (e) or (em) and for which contributions have been made as required by s.
17 40.05 (1) and (2) and creditable military service, service credited under s. ~~40.25 (7)~~
18 40.285 (2) (b) and service credited under s. 40.29, expressed in years and fractions
19 of years to the nearest one—hundredth. How much service in any annual earnings
20 period is the full—time equivalent of one year of creditable service shall be
21 determined by rule by the department and the rules may provide for differing
22 equivalents for different types of employment. Except as provided under ~~pars. (i) and~~
23 ~~(k)~~ s. 40.285 (2) (e) and (f), the amount of creditable service for periods prior to
24 January 1, 1982, shall be the amount for which the participant was eligible under
25 the applicable laws and rules in effect prior to January 1, 1982. No more than one

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SECTION 995

1 year of creditable service shall be granted for any annual earnings period. Creditable
2 service is determined in the following manner for the following persons:

3 *~~0912/2.2~~* SECTION 996. 40.02 (17) (b) of the statutes is renumbered 40.285
4 (2) (d) and amended to read:

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

17 *~~0912/2.3~~* SECTION 997. 40.02 (17) (e) of the statutes is renumbered 40.285
18 (2) (c) and amended to read:

19 40.285 (2) (c) Uncredited elected official and executive participating employee
20 service. Each executive participating employee whose creditable service terminates
21 on or after May 3, 1988, and each participating employee who is a present or former
22 elected official or an appointee of a present or former elected official and who did not
23 receive creditable service under s. 40.02 (17) (e), 1987 stats., or s. 40.02 (17) (e), 1989
24 stats., and whose creditable service terminates on or after August 15, 1991, who was
25 previously in the position of the president of the University of Wisconsin System or

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SECTION 997

1 in a position designated under s. 20.923 (4), (8), or (9), but did not receive creditable
2 service because of age restrictions, may receive creditable service equal to the period
3 of executive service not credited if the participant pays to the department a lump sum
4 payment equal to 5.5% of one-twelfth of the employee's highest earnings in a single
5 annual earnings period multiplied by the number of months of creditable service
6 granted under this paragraph. ~~That amount shall be credited and treated as an~~
7 ~~employee required contribution for all purposes of the Wisconsin retirement system.~~

8 *~~0912/2.4~~* SECTION 998. 40.02 (17) (i) of the statutes is renumbered 40.285
9 (2) (e), and 40.285 (2) (e) (intro.) and 3., as renumbered, are amended to read:

10 40.285 (2) (e) Teacher improvement leave. (intro.) Each participating employee
11 in the Wisconsin retirement system whose creditable service terminates on or after
12 April 25, 1990, and whose earnings include compensation for teacher improvement
13 leave granted by the board of regents of ~~the~~ Wisconsin state colleges State Colleges
14 during the period beginning on January 1, 1964, and ending on August 31, 1967, in
15 a written and satisfied contract, may receive creditable service for the period for
16 which those earnings were received in an amount not to exceed one year if all of the
17 following apply:

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

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

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SECTION 999

1 ***-0912/2.5*** SECTION 999. 40.02 (17) (k) of the statutes is renumbered 40.285
2 (2) (f) and amended to read:

3 40.285 (2) (f) *Uncredited junior teaching service.* Each participating employee
4 whose creditable service terminates on or after May 11, 1990, and who submits to the
5 department proof that the participant performed service in this state as a junior
6 teacher, as defined in s. 42.20 (6), 1955 stats., that was not credited under s. 42.40,
7 1955 stats., shall receive creditable service for the period for which that service was
8 performed, even if the participant did not become a member of the state teachers
9 retirement system after performing that service, if all of the following occur:

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

15 2. The employer may ~~does not~~ pay any amount payable under this paragraph
16 on behalf of any participating employee.

17 ***-1712/5.25*** SECTION 1000. 40.02 (25) (b) 2m. of the statutes is repealed.

18 ***-1698/3.1*** SECTION 1001. 40.02 (25) (b) 6e. of the statutes is created to read:

19 40.02 (25) (b) 6e. A state employee who terminates creditable service after
20 attaining 20 years of creditable service, remains a participant, and is not eligible for
21 an immediate annuity.

22 ***-1757/4.1*** SECTION 1002. 40.03 (6) (c) of the statutes is amended to read:

23 40.03 (6) (c) Shall not enter into any agreements to modify or expand group
24 insurance coverage in a manner which conflicts with this chapter or rules of the
25 department or materially affects the level of premiums required to be paid by the

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SECTION 1002

1 state or its employees, or the level of benefits to be provided, under any group
2 insurance coverage. This restriction shall not be construed to prevent modifications
3 required by law, prohibit the group insurance board from modifying the standard
4 plan to establish a more cost effective benefit plan design or providing optional
5 insurance coverages as alternatives to the standard insurance coverage when any
6 excess of required premium over the premium for the standard coverage is paid by
7 the employee or prohibit the group insurance board from providing other plans as
8 authorized under par. (b).

9 ***-0529/4.93*** SECTION 1003. 40.04 (3) (c) of the statutes is amended to read:

10 40.04 (3) (c) The department shall advise the investment board and the state
11 ~~treasurer~~ secretary of administration as to the limitations on the amounts of cash to
12 be invested from investment trusts under this subsection in order to maintain the
13 cash balances deemed advisable to meet current annuity, benefit and expense
14 requirements.

15 ***-0912/2.6*** SECTION 1004. 40.05 (1) (a) 7. of the statutes is repealed.

16 ***-0576/8.57*** SECTION 1005. 40.05 (1) (b) of the statutes is amended to read:

17 40.05 (1) (b) In lieu of employee payment, the employer may pay all or part of
18 the contributions required by par. (a), but all the payments shall be available for
19 benefit purposes to the same extent as required contributions deducted from
20 earnings of the participating employees. Action to assume employee contributions
21 as provided under this paragraph shall be taken at the time and in the form
22 determined by the governing body of the participating employer. The state shall pay
23 under this paragraph for employees who are covered by a collective bargaining
24 agreement under subch. V of ch. 111 and for employees whose fringe benefits are
25 determined under s. 230.12 an amount equal to 4% of the earnings paid by the state

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

19 ***-0912/2.7* SECTION 1006.** 40.05 (2) (bw) of the statutes is amended to read:

20 40.05 (2) (bw) The employer contribution rate determined under par. (b) for the
21 University of Wisconsin System shall be adjusted to reflect the cost of granting
22 creditable service under s. 40.02 (17) (i) 40.285 (2) (e) and that rate shall be sufficient
23 to amortize the unfunded prior service liability of the employers over the remainder
24 of the 40-year amortization period under par. (b).

25 ***-0912/2.8* SECTION 1007.** 40.05 (2) (g) 1. of the statutes is amended to read:

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

9 *~~1712/5.26~~* SECTION 1008. 40.05 (4) (a) 2. of the statutes is amended to read:

10 40.05 (4) (a) 2. For an insured employee who is an eligible employee under s.
11 40.02 (25) (a) 2. or (b) 1m. ~~or 2m.~~, the employer shall pay required employer
12 contributions toward the health insurance premium of the insured employee
13 beginning on the date on which the employee becomes insured. For an insured
14 employee who is currently employed but who is not 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 first day of the 7th month beginning after the date on which the
18 employee begins employment with the state, not including any leave of absence.

19 *~~1757/4.2~~* SECTION 1009. 40.05 (4) (ag) of the statutes is repealed and
20 recreated to read:

21 40.05 (4) (ag) Except as otherwise provided in accordance with a collective
22 bargaining agreement under subch. I or V of ch. 111 or s. 230.12 or 233.10, the
23 employer shall pay for its currently employed insured employees:

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

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

7 *~~0576/8.58~~* **SECTION 1010.** 40.05 (4) (ar) of the statutes is amended to read:

8 40.05 (4) (ar) The employer shall pay under par. (a) for employees who are not
9 covered by a collective bargaining agreement under subch. I or V of ch. 111 and for
10 employees whose health insurance premium contribution rates are not determined
11 under s. 230.12 or 233.10 an amount equal to the amount specified in par. (ag) unless
12 a different amount is recommended by the secretary of ~~employment relations~~
13 administration and approved by the joint committee on employment relations in the
14 manner provided for approval of changes in the compensation plan under s. 230.12
15 (3).

16 *~~1698/3.2~~* **SECTION 1011.** 40.05 (4) (b) of the statutes is amended to read:

17 40.05 (4) (b) Except as provided under pars. (bc) and (bp), accumulated unused
18 sick leave under ss. 13.121 (4), 36.30, 230.35 (2), 233.10, and 757.02 (5) and subch.
19 I or V of ch. 111 of any eligible employee shall, at the time of death, upon qualifying
20 for an immediate annuity or for a lump sum payment under s. 40.25 (1) or upon
21 termination of creditable service and qualifying as an eligible employee under s.
22 40.02 (25) (b) 6. or 10., be converted, at the employee's ~~current~~ highest basic pay rate
23 he or she received while employed by the state, to credits for payment of health
24 insurance premiums on behalf of the employee or the employee's surviving insured
25 dependents. Any supplemental compensation that is paid to a state employee who

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1 is classified under the state classified civil service as a teacher, teacher supervisor,
2 or education director for the employee's completion of educational courses that have
3 been approved by the employee's employer is considered as part of the employee's
4 basic pay for purposes of this paragraph. The full premium for any eligible employee
5 who is insured at the time of retirement, or for the surviving insured dependents of
6 an eligible employee who is deceased, shall be deducted from the credits until the
7 credits are exhausted and paid from the account under s. 40.04 (10), and then
8 deducted from annuity payments, if the annuity is sufficient. The department shall
9 provide for the direct payment of premiums by the insured to the insurer if the
10 premium to be withheld exceeds the annuity payment. Upon conversion of an
11 employee's unused sick leave to credits under this paragraph or par. (bf), the
12 employee or, if the employee is deceased, the employee's surviving insured
13 dependents may initiate deductions from those credits or may elect to delay
14 initiation of deductions from those credits, but only if the employee or surviving
15 insured dependents are covered by a comparable health insurance plan or policy
16 during the period beginning on the date of the conversion and ending on the date on
17 which the employee or surviving insured dependents later elect to initiate
18 deductions from those credits. If an employee or an employee's surviving insured
19 dependents elect to delay initiation of deductions from those credits, an employee or
20 the employee's surviving insured dependents may only later elect to initiate
21 deductions from those credits during the annual enrollment period under par. (be).
22 A health insurance plan or policy is considered comparable if it provides hospital and
23 medical benefits that are substantially equivalent to the standard health insurance
24 plan established under s. 40.52 (1).

25 ***-1698/3.3* SECTION 1012.** 40.05 (4) (bc) of the statutes is amended to read:

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

14 *~~1698/3.4~~* **SECTION 1013.** 40.05 (4) (bf) of the statutes is amended to read:

15 40.05 (4) (bf) Any eligible employee who was granted credit under s. 230.35 (1)
16 (gm) for service as a national guard technician, who, on December 31, 1965, had
17 accumulated unused sick leave that was based on service performed in this state as
18 a national guard technician before January 1, 1966, and who is a participating
19 employee or terminated all creditable service after June 30, 1972, or, if the eligible
20 employee is deceased, the surviving insured dependents of the eligible employee,
21 may have that accumulated unused sick leave converted to credits for the payment
22 of health insurance premiums on behalf of the eligible employee or the surviving
23 insured dependents if, not later than November 30, 1996, the eligible employee or the
24 surviving insured dependents submit to the department, on a form provided by the
25 department, an application for the conversion. The application shall include

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SECTION 1013

1 evidence satisfactory to the department to establish the applicant's rights under this
2 paragraph and the amount of the accumulated unused sick leave that is eligible for
3 the conversion. The accumulated unused sick leave shall be converted under this
4 paragraph, at the eligible employee's highest basic pay rate ~~immediately prior to~~
5 ~~termination of all creditable service~~ he or she received while employed by the state,
6 on the date of conversion specified in par. (b) or on the last day of the 2nd month
7 beginning after the date on which the department receives the application under this
8 paragraph, whichever is later. Deductions from those credits, elections to delay
9 initiation of those deductions and premium payments shall be made as provided in
10 par. (b).

11 ***-1698/3.5* SECTION 1014.** 40.05 (4) (bm) of the statutes is amended to read:

12 40.05 (4) (bm) Except as provided under par. (bp), accumulated unused sick
13 leave under ss. 36.30 and 230.35 (2) or 233.10 of any eligible employee shall, upon
14 request of the employee at the time the employee is subject to layoff under s. 40.02
15 (40), be converted at the employee's ~~current~~ highest basic pay rate he or she received
16 while employed by the state to credits for payment of health insurance premiums on
17 behalf of the employee. Any supplemental compensation that is paid to a state
18 employee who is classified under the state classified civil service as a teacher, teacher
19 supervisor or education director for the employee's completion of educational courses
20 that have been approved by the employee's employer is considered as part of the
21 employee's basic pay for purposes of this paragraph. The full amount of the required
22 employee contribution for any eligible employee who is insured at the time of the
23 layoff shall be deducted from the credits until the credits are exhausted, the
24 employee is reemployed, or 5 years have elapsed from the date of layoff, whichever
25 occurs first.

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1 ***-0576/8.59*** **SECTION 1015.** 40.05 (4g) (a) 4. of the statutes is amended to read:

2 40.05 (4g) (a) 4. Has received a military leave of absence under s. 230.32 (3) (a)
3 or 230.35 (3), under a collective bargaining agreement under subch. V of ch. 111 or
4 under rules promulgated by the secretary of ~~employment relations~~ administration
5 or is eligible for reemployment with the state under s. 45.50 after completion of his
6 or her service in the U.S. armed forces.

7 ***-0576/8.60*** **SECTION 1016.** 40.06 (1) (dm) of the statutes is amended to read:

8 40.06 (1) (dm) Each determination by a department head regarding the
9 classification of a state employee as a protective occupation participant shall be
10 reviewed by the department of ~~employment relations~~ administration. A state
11 employee's name may not be certified to the fund as a protective occupation
12 participant under par. (d) until the department of ~~employment relations~~
13 administration approves the determination.

14 ***-1895/2.1*** **SECTION 1017.** 40.23 (1) (a) of the statutes is amended to read:

15 40.23 (1) (a) Except as provided in par. (am), any participant who has attained
16 age 55, and any protective occupation participant who has attained age 50, on or
17 before the annuity effective date shall be entitled to a retirement annuity in
18 accordance with the actuarial tables in effect on the effective date of the annuity if
19 the participant submits an application for a retirement annuity on a form furnished
20 by the department and all any of the following ~~apply~~ applies:

21 1. The participant is not on a leave of absence from any participating employer
22 and is separated, regardless of cause, and continues to be separated until the annuity
23 effective date, the date 30 days after the application is received by the department
24 or the date 30 days after separation, whichever is later, from all employment meeting
25 the qualifications for inclusion specified in s. 40.22 for any participating employer.

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

7 *~~1895/2.2~~* SECTION 1018. 40.23 (1) (a) 3. of the statutes is created to read:

8 40.23 (1) (a) 3. The participant has attained normal retirement age or a
9 combination of age and creditable service as of the annuity effective date such that
10 the annuity reduction calculated in the manner specified under sub. (2m) (f) is zero
11 or less, regardless of whether the participant's annuity benefit is actually paid under
12 sub. (3).

13 *~~0912/2.9~~* SECTION 1019. 40.23 (2m) (em) 1. a. of the statutes is amended to
14 read:

15 40.23 (2m) (em) 1. a. Any creditable service forfeited by a participating
16 employee before January 1, 2000, and which is subsequently reestablished by the
17 participating employee under s. ~~40.25 (6)~~ 40.285 (2) (a), shall be considered to have
18 been performed before January 1, 2000.

19 *~~0912/2.10~~* SECTION 1020. 40.23 (2m) (em) 1. b. of the statutes is amended
20 to read:

21 40.23 (2m) (em) 1. b. Any creditable service received under s. ~~40.25 (7)~~ 40.285
22 (2) (b), which is based on service performed before January 1, 2000, shall be
23 considered to have been performed before January 1, 2000.

24 *~~1895/2.3~~* SECTION 1021. 40.25 (2) of the statutes is amended to read:

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

9 ***-0912/2.11*** SECTION 1022. 40.25 (3) of the statutes is amended to read:

10 40.25 (3) Upon administrative approval of payment of an amount under either
11 sub. (1) or (2), the participant's account shall be closed and there shall be no further
12 right, interest or claim on the part of the former participant to any benefit from the
13 Wisconsin retirement system except as provided by subs. sub. (5) and (6) s. 40.285
14 (2) (a). Any former participant who is subsequently employed by any participating
15 employer shall be treated as a new participating employee for all purposes of this
16 chapter. New accumulations of contributions and credits and the computation of any
17 future benefits shall bear no relationship to any accumulations and credits paid as
18 single sums under sub. (1) or (2).

19 ***-0912/2.12*** SECTION 1023. 40.25 (6) of the statutes is repealed.

20 ***-0912/2.13*** SECTION 1024. 40.25 (7) of the statutes is repealed.

21 ***-0912/2.14*** SECTION 1025. 40.285 of the statutes is created to read:

22 **40.285 Purchase of creditable service. (1) GENERAL REQUIREMENTS. (a)**
23 *Deadline for purchase of creditable service.* An application to purchase creditable
24 service must be received by the department, on a form provided by the department,

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1 from an applicant who is a participating employee on the day that the department
2 receives the application.

3 (b) *Calculation of creditable service.* Creditable service purchased under this
4 section shall be calculated in an amount equal to the year and fractions of a year to
5 the nearest one–hundredth of a year.

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

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

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

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

17 b. The number of years that may be purchased may not be greater than the
18 accumulated current creditable service of the participating employee at the date of
19 application, excluding all creditable service purchased under this section or s. 40.02
20 (17) (b), 1981, 1983, 1985, 1987, 1989, 1991, 1993, 1995, 1997, 1999, and 2001 stats.,
21 s. 40.02 (17) (e), 1987, 1989, 1991, 1993, 1995, 1997, 1999, and 2001 stats., s. 40.02
22 (17) (i), 1989, 1991, 1993, 1995, 1997, 1999, and 2001 stats., s. 40.02 (17) (k), 1989,
23 1991, 1993, 1995, 1997, 1999, and 2001 stats., s. 40.25 (6), 1981, 1983, 1985, 1987,
24 1989, 1991, 1993, 1995, 1997, 1999, and 2001 stats., s. or 40.25 (7), 1991, 1993, 1995,
25 1997, 1999, and 2001 stats., less the number of years of creditable service previously

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1 purchased under this paragraph or s. 40.25 (6), 1981, 1983, 1985, 1987, 1989, 1991,
2 1993, 1995, 1997, 1999, and 2001 stats.

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

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

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

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

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

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

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

24 (b) *Other governmental service.* 1. Each participating employee whose
25 creditable service terminates on or after May 1, 1992, and who has performed

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

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

10 b. The number of years of creditable service applied for under this paragraph
11 does not exceed the number of years of creditable service that the participant has at
12 the date of application, excluding all creditable service purchased under this section
13 or s. 40.02 (17) (b), 1981, 1983, 1985, 1987, 1989, 1991, 1993, 1995, 1997, 1999, and
14 2001 stats., s. 40.02 (17) (e), 1987, 1989, 1991, 1993, 1995, 1997, 1999, and 2001
15 stats., s. 40.02 (17) (i), 1989, 1991, 1993, 1995, 1997, 1999, and 2001 stats., s. 40.02
16 (17) (k), 1989, 1991, 1993, 1995, 1997, 1999, and 2001 stats., s. 40.25 (6), 1981, 1983,
17 1985, 1987, 1989, 1991, 1993, 1995, 1997, 1999, and 2001 stats., or s. 40.25 (7), 1991,
18 1993, 1995, 1997, 1999, and 2001 stats., less the number of years of creditable service
19 previously purchased under this paragraph or s. 40.25 (7), 1991, 1993, 1995, 1997,
20 1999, and 2001 stats.

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

23 d. Except as provided in sub. (4) (b), at the time of application, the participant
24 pays to the department a lump sum equal to the present value of the creditable
25 service applied for under this paragraph, in accordance with rates actuarially

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1 determined to be sufficient to fund the cost of the increased benefits that will result
2 from granting the creditable service under this paragraph. The department shall by
3 rule establish different rates for different categories of participants, based on factors
4 recommended by the actuary.

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

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

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

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

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

21 (b) *Certification of plan-to-plan transfers.* Upon request, the department shall
22 provide a participating employee a transfer certification form for payments made by
23 a plan-to-plan transfer under sub. (5) (b). If the participating employee intends to
24 make payments from more than one plan, the participating employee must submit

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1 to the department a separate transfer certification form for each plan from which
2 moneys will be transferred.

3 (4) PAYMENT. (a) *Required with application.* Except as provided in par. (b), the
4 department may not accept an application for the purchase of creditable service
5 without payment in full of the department's estimated cost of creditable service
6 accompanying the application. A participating employee may also do any of the
7 following:

8 1. Use his or her accumulated after-tax additional contributions that are made
9 under s. 40.05 (1) (a) 5., including interest, to make payment.

10 2. Use his or her accumulated contributions, including interest, to a tax
11 sheltered annuity under section 403 (b) of the Internal Revenue Code, to make
12 payment, but only if the participating employee's plan under section 403 (b) of the
13 Internal Revenue Code authorizes the transfer.

14 (b) *Alternate payment options.* Notwithstanding par. (a), the department may
15 accept an application under this section without full payment if payment of at least
16 10% of the department's estimate of the cost of the creditable service is included with
17 the application, in the manner required under par. (a), and the remaining balance
18 is received by the department no later than 90 days after receipt of the application,
19 in the form of a plan-to-plan transfer under sub. (5) (b).

20 (c) *Final cost calculation for purchase of creditable service.* The department
21 may audit any transaction to purchase creditable service under this subsection and
22 make any necessary correction to the estimated cost of purchasing the creditable
23 service to reflect the amount due under sub. (2). Except as otherwise provided in sub.
24 (7), if the department determines that the final amount that is due is more than the
25 amount paid to the department, the department shall notify the participant of the

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1 amount of the shortfall. If payment of the amount of the shortfall is not received by
2 the department within 30 calendar days after the date on which the department
3 sends notice to the participant, the department shall complete the creditable service
4 purchase transaction by prorating the amount of creditable service that is purchased
5 based on the payment amount actually received and shall notify the participant of
6 the amount and category of service that is credited. The department, by rule, shall
7 specify how a forfeited service purchase is prorated when the participant forfeited
8 service under more than one category of employment under s. 40.23 (2m) (e).

9 (d) *Treatment of amounts to purchase creditable service.* All amounts retained
10 by the department for the purchase of creditable service under sub. (2) shall be
11 credited and treated as employee required contributions for all purposes of the
12 Wisconsin retirement system, except that amounts received for the purchase of
13 creditable service under sub. (2) (b) may not be used for the purpose of making
14 calculations under s. 40.23 (3) or 40.73 (1) (am).

15 (5) TRANSFER OF FUNDS; PLAN-TO-PLAN TRANSFERS. (a) *Transfer from certain*
16 *benefit plans.* Subject to any applicable limitations under the Internal Revenue
17 Code, a participating employee may elect to use part or all of any of the following to
18 purchase creditable service under this section:

19 1. Accumulated after-tax additional contributions, including interest, made
20 under s. 40.05 (1) (a) 5.

21 2. Accumulated contributions treated by the department as contributions to a
22 tax sheltered annuity under section 403 (b) of the Internal Revenue Code, but only
23 if the employer sponsoring the annuity plan authorizes the transfer.

24 (b) *Other plan-to-plan transfers.* The department may also accept a plan to
25 plan transfer from any of the following:

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1 1. Accumulated contributions under a state deferred compensation plan under
2 subch. VII.

3 2. The trustee of any plan qualified under sections 401 (a) or (k), 403 (b), or 457
4 of the Internal Revenue Code, but only if the purpose of the transfer is to purchase
5 creditable service under this section.

6 (c) *Payment shortfall.* Except as otherwise provided in sub. (7), if the
7 department determines that the amount paid to the department to purchase
8 creditable service under this subsection, together with the amount transferred
9 under a plan-to-plan transfer, is less than the amount that is required to purchase
10 the creditable service, the department shall notify the participant of the amount of
11 the shortfall. If payment of the amount of the shortfall is not received by the
12 department within 30 calendar days after the date on which the department sends
13 notice to the participant, the department shall complete the creditable service
14 purchase transaction by prorating the amount of creditable service that is purchased
15 based on the payment amount actually received and shall notify the participant of
16 the amount and category of service that is credited. The department, by rule, shall
17 specify how a forfeited service purchase is prorated when the participant forfeited
18 service under more than one category of employment under s. 40.23 (2m) (e).

19 (6) REFUNDS. Except as provided in sub. (7), if the department determines that
20 the amount paid to the department to purchase creditable service, including any
21 amount in a plan-to-plan transfer, is greater than the amount that is required to
22 purchase the creditable service, as determined by the department, the department
23 shall refund the difference. The department shall pay any refund to the participant,
24 up to the amount received from the participant. Any remaining amount shall be
25 returned to the applicable account in the trust fund for transfers under sub. (5) (a)

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1 or to the trustee of a plan which was the source of a plan-to-plan transfer under sub.
2 (5) (b). When more than one plan-to-plan transfer occurs, the department may
3 determine which transfer is to be refunded, in whole or part. No funds transferred
4 to the department by a plan-to-plan transfer may be refunded to a participant.

5 (7) LIMIT ON PAYMENT OF CORRECTIONS. The department may not require a
6 participant to pay any shortfall under sub. (4) (c) or (5) (c) that is \$25 or less. The
7 department may not pay any refund under sub. (6) if the amount of the refund is \$25
8 or less.

9 *-1757/4.3* SECTION 1026. 40.51 (6) of the statutes is amended to read:

10 40.51 (6) This state shall offer to all of its employees at least 2 insured or
11 uninsured health care coverage plans providing substantially equivalent hospital
12 and medical benefits, including a health maintenance organization or a preferred
13 provider plan, if those health care plans are determined by the group insurance
14 board to be available in the area of the place of employment and are approved by the
15 group insurance board. The group insurance board shall place each of the plans into
16 one of 3 tiers established in accordance with standards adopted by the group
17 insurance board. The tiers shall be separated according to the employee's share of
18 premium costs.

19 *-1876/1.3* SECTION 1027. 40.98 (2) (h) of the statutes is amended to read:

20 40.98 (2) (h) The department may seek funding from any person for the
21 payment of costs of designing, marketing, and contracting for or providing
22 administrative services under the health care coverage program ~~and for lapsing to~~
23 ~~the general fund any amount required under sub. (6m).~~ Any moneys received by the
24 department under this paragraph shall be credited to the appropriation account
25 under s. 20.515 (2) (g).

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1 *~~1876/1.4~~* SECTION 1028. 40.98 (6m) of the statutes is repealed.

2 *~~1373/8.12~~* SECTION 1029. 42.035 of the statutes is amended to read:

3 **42.035 Treatment of certain state fair park board employees.**

4 Notwithstanding s. 230.08 (2) (pm), those employees holding positions in the
5 classified service at the state fair park board on October 29, 1999, who have achieved
6 permanent status in class before that date, shall retain, while serving in the
7 unclassified service at the state fair park board, those protections afforded
8 employees in the classified service under ss. 230.34 (1) ~~(a)~~ (ah) and 230.44 (1) (c)
9 relating to demotion, suspension, discharge, layoff or reduction in base pay. Such
10 employees shall also be eligible for transfer under s. 230.29 and shall have
11 reinstatement privileges to the classified service under s. 230.33 (1m). Those
12 employees of the state fair park board on October 29, 1999, who have not achieved
13 permanent status in class in any position at the state fair park board on that date
14 are eligible to receive the protections, privileges and rights preserved under this
15 section if they successfully complete service equivalent to the probationary period
16 required in the classified service for the position that they hold on that date.

17 *~~1281/2.2~~* SECTION 1030. 43.24 (1) (c) of the statutes is amended to read:

18 43.24 (1) (c) Beginning in the fiscal year in which the total amount of state aid
19 appropriated for public library systems under s. 20.255 (3) (e) and (qm), as
20 determined by the department, equals at least 11.25% of the total operating
21 expenditures for public library services from local and county sources in the calendar
22 year ending in that fiscal year, the amount paid to each system shall be determined
23 by adding the result of each of the following calculations:

24 1. Multiply the system's percentage of the state's population by the product of
25 the amount appropriated under s. 20.255 (3) (e) and (qm) and 0.85.

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1 2. Multiply the system's percentage of the state's geographical area by the
2 product of the amount appropriated under s. 20.255 (3) (e) and (qm) and 0.075.

3 3. Divide the sum of the payments to the municipalities and counties in the
4 system under subch. I of ch. 79 for the current fiscal year, as reflected in the
5 statement of estimated payments under s. 79.015, by the total of all payments under
6 subch. I of ch. 79 for the current fiscal year, as reflected in the statement of estimated
7 payments under s. 79.015, and multiply the result by the product of the amount
8 appropriated under s. 20.255 (3) (e) and (qm) and 0.075.

9 *~~1281/2.3~~* **SECTION 1031.** 43.24 (3) of the statutes is amended to read:

10 43.24 (3) Annually, the division shall review the reports and proposed service
11 plans submitted by the public library systems under s. 43.17 (5) for conformity with
12 this chapter and such rules and standards as are applicable. Upon approval, the
13 division shall certify to the department of administration an estimated amount to
14 which each system is entitled under this section. Annually on or before December
15 1 of the year immediately preceding the year for which aids are to be paid, the
16 department of administration shall pay each system 75% of the certified estimated
17 amount from the ~~appropriation~~ appropriations under s. 20.255 (3) (e) and (qm). The
18 division shall, on or before the following April 30, certify to the department of
19 administration the actual amount to which the system is entitled under this section.
20 On or before July 1, the department of administration shall pay each system the
21 difference between the amount paid on December 1 of the prior year and the certified
22 actual amount of aid to which the system is entitled from the ~~appropriation~~
23 appropriations under s. 20.255 (3) (e) and (qm). The division may reduce state aid
24 payments when any system or any participant thereof fails to meet the requirements
25 of sub. (2). Beginning September 1, 1991, the division may reduce state aid payments

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1 to any system if the system or any participant in the system fails to meet the
2 requirements of s. 43.15 (4).

3 ***-1281/2.4* SECTION 1032.** 43.24 (3m) of the statutes is amended to read:

4 43.24 (3m) If the ~~appropriation~~ appropriations under s. 20.255 (3) (e) and (qm)
5 in any one year is are insufficient to pay the full amount under sub. (1), state aid
6 payments shall be prorated among the library systems entitled to such aid.

7 ***-0529/4.94* SECTION 1033.** 43.70 (3) of the statutes is amended to read:

8 43.70 (3) Immediately upon making such apportionment, the state
9 superintendent shall certify to the department of administration the estimated
10 amount that each school district is entitled to receive under this section and shall
11 notify each school district administrator of the estimated amount so certified for his
12 or her school district. The department of administration shall ~~issue its warrants~~
13 ~~upon which the state treasurer shall~~ distribute each school district's aid entitlement
14 in one payment on or before May 1. The amount paid to each school district shall be
15 based upon the amount in the appropriation account under s. 20.255 (2) (s) on April
16 15. All moneys distributed under this section shall be expended for the purchase of
17 instructional materials from the state historical society for use in teaching Wisconsin
18 history and for the purchase of library books and other instructional materials for
19 school libraries, but not for public library facilities operated by school districts under
20 s. 43.52, in accordance with rules promulgated by the state superintendent.
21 Appropriate records of such purchases shall be kept and necessary reports thereon
22 shall be made to the state superintendent.

23 ***-0666/9.40* SECTION 1034.** Chapter 44 (title) of the statutes is amended to
24 read:

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CHAPTER 44

HISTORICAL SOCIETIES, AND ARTS~~BOARD AND TECHNOLOGY FOR~~~~EDUCATIONAL ACHIEVEMENT IN~~~~WISCONSIN BOARD~~

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5
6 *~~0666/9.41~~* SECTION 1035. Subchapter IV (title) of chapter 44 [precedes
7 44.70] of the statutes is repealed.

8 *~~0666/9.42~~* SECTION 1036. 44.70 (intro.) of the statutes is renumbered
9 115.997 (intro.).

10 *~~0666/9.43~~* SECTION 1037. 44.70 (1) of the statutes is repealed.

11 *~~0666/9.44~~* SECTION 1038. 44.70 (1d) of the statutes is renumbered 115.997
12 (1d).

13 *~~0666/9.45~~* SECTION 1039. 44.70 (1m) of the statutes is renumbered 115.997
14 (1m).

15 *~~0666/9.46~~* SECTION 1040. 44.70 (2) of the statutes is repealed.

16 *~~0666/9.47~~* SECTION 1041. 44.70 (2g) of the statutes is renumbered 115.997
17 (2g) and amended to read:

18 115.997 (2g) “Educational agency” means a school district, charter school
19 sponsor, secured correctional facility, private school, cooperative educational service
20 agency, technical college district, private college, public library system, public library
21 board, public museum, the Wisconsin Center for the Blind and Visually Impaired,
22 or the Wisconsin Educational Services Program for the Deaf and Hard of Hearing.

****NOTE: This is reconciled s. 44.70 (2g). This SECTION has been affected by drafts
with the following LRB numbers: LRB-0392/2 and LRB-0666/8.

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- 1 *~~0666/9.48~~* SECTION 1042. 44.70 (3) of the statutes is renumbered 115.997
2 (3).
- 3 *~~0666/9.49~~* SECTION 1043. 44.70 (3d) of the statutes is renumbered 115.997
4 (3d).
- 5 *~~0666/9.50~~* SECTION 1044. 44.70 (3g) of the statutes is renumbered 115.997
6 (3g).
- 7 *~~0666/9.51~~* SECTION 1045. 44.70 (3j) of the statutes is renumbered 115.997
8 (3j).
- 9 *~~0666/9.52~~* SECTION 1046. 44.70 (3m) of the statutes is renumbered 115.997
10 (3m).
- 11 *~~0666/9.53~~* SECTION 1047. 44.70 (3r) of the statutes is renumbered 115.997
12 (3r).
- 13 *~~0666/9.54~~* SECTION 1048. 44.70 (4) of the statutes is renumbered 115.997
14 (4).
- 15 *~~0666/9.55~~* SECTION 1049. 44.70 (5) of the statutes is renumbered 115.997
16 (5).
- 17 *~~0666/9.56~~* SECTION 1050. 44.70 (6) of the statutes is renumbered 115.997
18 (6).
- 19 *~~0666/9.57~~* SECTION 1051. 44.71 (title) of the statutes is repealed.
- 20 *~~0666/9.58~~* SECTION 1052. 44.71 (1) of the statutes is repealed.
- 21 *~~0666/9.59~~* SECTION 1053. 44.71 (2) (intro.) of the statutes is renumbered
22 115.998 (intro.) and amended to read:
- 23 **115.998 Duties Technology for educational achievement in Wisconsin;**
24 **departmental duties.** (intro.) The board department shall do all of the following:

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1 *~~0666/9.60~~* **SECTION 1054.** 44.71 (2) (a) of the statutes is renumbered 115.998
2 (1) and amended to read:

3 115.998 (1) In cooperation with school districts, cooperative educational
4 service agencies, the technical college system board, the board of regents of the
5 University of Wisconsin System, and the department of administration, promote the
6 efficient, cost-effective procurement, installation, and maintenance of educational
7 technology by school districts, cooperative educational service agencies, technical
8 college districts, and the University of Wisconsin System.

9 *~~0666/9.61~~* **SECTION 1055.** 44.71 (2) (b) of the statutes is renumbered 115.998
10 (2).

11 *~~0666/9.62~~* **SECTION 1056.** 44.71 (2) (c) of the statutes is renumbered 115.998
12 (3) and amended to read:

13 115.998 (3) With the consent of the department of administration, enter into
14 cooperative purchasing agreements under s. 16.73 (1) under which participating
15 school districts and cooperative educational service agencies may contract for their
16 professional employees to receive training concerning the effective use of educational
17 technology.

18 *~~0666/9.63~~* **SECTION 1057.** 44.71 (2) (d) of the statutes is renumbered 115.998
19 (4) and amended to read:

20 115.998 (4) In cooperation with the board of regents of the University of
21 Wisconsin System, the technical college system board, ~~the department of public~~
22 ~~instruction~~ and other entities, support the development of courses for the instruction
23 of professional employees who are licensed by the state superintendent ~~of public~~
24 ~~instruction~~ concerning the effective use of educational technology.

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1 *~~0666/9.64~~* SECTION 1058. 44.71 (2) (e) of the statutes is renumbered 115.998
2 (5) and amended to read:

3 115.998 (5) ~~Subject to s. 44.73 (5), in~~ In cooperation with the department of
4 administration, provide telecommunications access to educational agencies under
5 the program established under s. ~~44.73~~ 115.9995.

6 *~~0666/9.65~~* SECTION 1059. 44.71 (2) (f) of the statutes is renumbered 115.998
7 (6) and amended to read:

8 115.998 (6) No later than October 1 of each even-numbered year, submit a
9 biennial report concerning the ~~board's~~ department's activities under this subchapter
10 to the governor, and to the appropriate standing committees of the legislature under
11 s. 13.172 (3).

12 *~~0666/9.66~~* SECTION 1060. 44.71 (2) (g) of the statutes is renumbered 115.998
13 (7) and amended to read:

14 115.998 (7) Coordinate the purchasing of educational technology materials,
15 supplies, equipment, and contractual services for school districts, cooperative
16 educational service agencies, technical college districts, and the board of regents of
17 the University of Wisconsin System by the department of administration under s.
18 16.72 (8), and, ~~in cooperation with the department and subject to the approval of the~~
19 ~~department of electronic government~~, establish standards and specifications for
20 purchases of educational technology hardware and software by school districts,
21 cooperative educational service agencies, technical college districts, and the board
22 of regents of the University of Wisconsin System.

23 *~~0666/9.67~~* SECTION 1061. 44.71 (2) (h) of the statutes is renumbered 115.998
24 (8) and amended to read:

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1 115.998 (8) ~~With the approval of the department of electronic government,~~
2 ~~purchase~~ Purchase educational technology equipment for use by school districts,
3 cooperative educational service agencies, and public educational institutions in this
4 state and permit the districts, agencies, and institutions to purchase or lease the
5 equipment, with an option to purchase the equipment at a later date. ~~This paragraph~~
6 ~~subsection~~ does not require the purchase or lease of any educational technology
7 equipment from the ~~board~~ department.

8 *~~0666/9.68~~* SECTION 1062. 44.71 (2) (i) of the statutes is renumbered 115.998
9 (9).

10 *~~0666/9.69~~* SECTION 1063. 44.71 (3) of the statutes is repealed.

11 *~~0666/9.70~~* SECTION 1064. 44.72 (title) of the statutes is repealed.

12 *~~0666/9.71~~* SECTION 1065. 44.72 (1) of the statutes is repealed.

13 *~~0666/9.72~~* SECTION 1066. 44.72 (2) of the statutes is repealed.

14 *~~0666/9.73~~* SECTION 1067. 44.72 (3) of the statutes is repealed.

15 *~~0666/9.74~~* SECTION 1068. 44.72 (4) (title) of the statutes is renumbered
16 115.999 (title).

17 *~~0666/9.75~~* SECTION 1069. 44.72 (4) (a) of the statutes is renumbered 115.999
18 (1) and amended to read:

19 115.999 (1) FINANCIAL ASSISTANCE AUTHORIZED. The ~~board~~ department may
20 provide financial assistance under this ~~subsection~~ section to school districts ~~and~~
21 ~~charter school sponsors~~ from the proceeds of public debt contracted under s. 20.866
22 (2) (zc) and to public library boards from the proceeds of public debt contracted under
23 s. 20.866 (2) (zcm). Financial assistance under this ~~subsection~~ section may be used
24 only for the purpose of upgrading the electrical wiring of school and library buildings
25 in existence on October 14, 1997, and installing and upgrading computer network

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1 wiring. Except as provided in sub. (3m), the department may not provide any
2 financial assistance under this section after the effective date of this subsection ...
3 [revisor inserts date].

4 *~~0666/9.76~~* SECTION 1070. 44.72 (4) (b) of the statutes is renumbered 115.999
5 (2) and amended to read:

6 115.999 (2) FINANCIAL ASSISTANCE APPLICATIONS, TERMS, AND CONDITIONS. The
7 ~~board~~ department shall establish application procedures for, and the terms and
8 conditions of, financial assistance under this subsection, ~~including a condition~~
9 ~~requiring a charter school sponsor to use financial assistance under this subsection~~
10 ~~for wiring upgrading and installation that benefits pupils attending the charter~~
11 ~~school~~ section. The ~~board~~ department shall make a loan to a school district, ~~charter~~
12 ~~school sponsor, or public library board, or to a municipality on behalf of a public~~
13 library board, in an amount equal to 50% of the total amount of financial assistance
14 for which the ~~board~~ department determines the school district or public library board
15 is eligible and provide a grant to the school district or public library board for the
16 remainder of the total. The terms and conditions of any financial assistance under
17 this ~~subsection~~ section may include the provision of professional building
18 construction services under s. 16.85 (15). The ~~board~~ department shall determine the
19 interest rate on loans under this ~~subsection~~ section. The interest rate shall be as low
20 as possible but shall be sufficient to fully pay all interest expenses incurred by the
21 state in making the loans and to provide reserves that are reasonably expected to be
22 required in the judgment of the ~~board~~ department to ensure against losses arising
23 from delinquency and default in the repayment of the loans. The term of a loan under
24 this ~~subsection~~ section may not exceed 10 years.

SENATE BILL

SECTION 1071

1 *~~0666/9.77~~* SECTION 1071. 44.72 (4) (c) of the statutes is renumbered 115.999
2 (3) and amended to read:

3 115.999 (3) REPAYMENT OF LOANS. The ~~board~~ department shall credit all moneys
4 received from school districts and ~~charter school sponsors~~ for repayment of loans
5 under this ~~subsection~~ section to the appropriation account under s. ~~20.275 (1)~~ 20.255
6 (4) (h). The ~~board~~ department shall credit all moneys received from public library
7 boards or from municipalities on behalf of public library boards for repayment of
8 loans under this ~~subsection~~ section to the appropriation account under s. ~~20.275 (1)~~
9 20.255 (4) (hb).

10 *~~0666/9.78~~* SECTION 1072. 44.72 (4) (d) of the statutes is renumbered 115.999
11 (4) and amended to read:

12 115.999 (4) FUNDING FOR FINANCIAL ASSISTANCE. The ~~board, with the approval~~
13 ~~of the governor and~~ department, subject to the limits of s. 20.866 (2) (zc) and (zcm),
14 may request that the building commission contract public debt in accordance with
15 ch. 18 to fund financial assistance under this ~~subsection~~ section.

16 *~~0666/9.79~~* SECTION 1073. 44.73 (title) of the statutes is renumbered
17 115.9995 (title).

18 *~~0666/9.80~~* SECTION 1074. 44.73 (1) of the statutes is renumbered 115.9995
19 (1) and amended to read:

20 115.9995 (1) Except as provided in s. 196.218 (4t), the ~~board~~ department of
21 public instruction, in consultation with the department and ~~subject to the approval~~
22 ~~of the department of electronic government of administration~~, shall promulgate
23 rules establishing an educational telecommunications access program to provide
24 educational agencies with access to data lines and video links.

SENATE BILL

SECTION 1075

1 ***-0666/9.81*** SECTION 1075. 44.73 (2) (intro.) of the statutes is renumbered
2 115.9995 (2) (intro.).

3 ***-0666/9.82*** SECTION 1076. 44.73 (2) (a) of the statutes is renumbered
4 115.9995 (2) (a) and amended to read:

5 115.9995 (2) (a) Allow an educational agency to make a request to the ~~board~~
6 department for access to either one data line or one video link, except that any
7 educational agency may request access to additional data lines if the agency shows
8 to the satisfaction of the ~~board~~ department that the additional data lines are more
9 cost-effective than a single data line and except that a school district that operates
10 more than one high school or a public library board that operates more than one
11 library facility may request access to both a data line and a video link and access to
12 more than one data line or video link.

13 ***-0666/9.83*** SECTION 1077. 44.73 (2) (b) of the statutes is renumbered
14 115.9995 (2) (b).

15 ***-0666/9.84*** SECTION 1078. 44.73 (2) (c) of the statutes is renumbered
16 115.9995 (2) (c).

17 ***-0666/9.85*** SECTION 1079. 44.73 (2) (d) of the statutes is renumbered
18 115.9995 (2) (d) and amended to read:

19 115.9995 (2) (d) Require an educational agency to pay the department of of
20 administration not more than \$250 per month for each data line or video link that
21 is provided to the educational agency under the program established under sub. (1),
22 except that the charge may not exceed \$100 per month for each data line or video link
23 that relies on a transport medium that operates at a speed of 1.544 megabits per
24 second.

SENATE BILL

SECTION 1080

1 *~~0666/9.86~~* SECTION 1080. 44.73 (2) (e) of the statutes is renumbered
2 115.9995 (2) (e).

3 *~~0666/9.87~~* SECTION 1081. 44.73 (2) (f) of the statutes is renumbered
4 115.9995 (2) (f).

5 *~~0666/9.88~~* SECTION 1082. 44.73 (2g) of the statutes is renumbered 115.9995
6 (2g).

7 *~~0666/9.89~~* SECTION 1083. 44.73 (2r) of the statutes is renumbered 115.9995
8 (2r), and 115.9995 (2r) (c), as renumbered, is amended to read:

9 115.9995 (2r) (c) A public library board shall provide the ~~technology for~~
10 ~~educational achievement in Wisconsin board department~~ with written notice within
11 30 days after entering into or modifying a shared service agreement under par. (a).

12 *~~0666/9.90~~* SECTION 1084. 44.73 (3) of the statutes is renumbered 115.9995
13 (3) and amended to read:

14 115.9995 (3) The ~~board~~ department of public instruction shall submit an
15 annual report to the department of administration on the status of providing data
16 lines and video links that are requested under sub. (2) (a) and the impact on the
17 universal service fund of any payment under contracts under s. 16.974.

18 *~~0666/9.91~~* SECTION 1085. 44.73 (4) of the statutes is renumbered 115.9995
19 (4).

20 *~~0666/9.92~~* SECTION 1086. 44.73 (5) of the statutes is repealed.

21 *~~0666/9.93~~* SECTION 1087. 44.73 (6) (a) of the statutes is renumbered
22 115.9995 (6) (a) and amended to read:

23 115.9995 (6) (a) From the appropriation under s. ~~20.275 (1)~~ 20.255 (4) (s) or
24 (tm), the ~~board~~ department may award an annual grant to a school district or private
25 school that had in effect on October 14, 1997, a contract for access to a data line or