

SENATE BILL 44

SECTION 869

Endorse (E)

PG
LD

1 department after the department begins suppression efforts under this subsection.
2 Funds expended by the state under this subsection shall be ~~drawn~~ expended from the
3 appropriation under s. 20.370 (1) ~~(mu)~~ (mv).

4 ***-0529/4.78* SECTION 870.** 26.14 (4) of the statutes is amended to read:

(F)

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

22 ***-0529/4.79* SECTION 873.** 26.30 (9) (b) (intro.) of the statutes is amended to
23 read:

24 26.30 (9) (b) (intro.) As soon as the expenses incurred by the state in forest pest
25 control work have been paid by the ~~state treasurer~~ secretary of administration, the

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1 department shall send to each landowner a bill covering an equitable share of such
2 expenses as herein provided.

3 *b0191/2.1* SECTION 873m. 29.024 (6) (am) of the statutes is repealed.

4 *b0191/2.1* SECTION 873p. 29.024 (6) (b) of the statutes is amended to read:
5 29.024 (6) (b) The clerk of each county appointed under par. (a) 2. ~~or (am) 2.~~ may
6 accept the appointment.

7 *b0191/2.1* SECTION 873r. 29.024 (6) (d) of the statutes is amended to read:
8 29.024 (6) (d) The department may promulgate rules regulating the activities
9 of persons appointed under pars. (a) 2., 3. and 4. ~~and (am) 2. and 3.~~

10 *-1289/7.105* SECTION 874. 29.038 (1) (a) of the statutes is amended to read:
11 29.038 (1) (a) "Local governmental unit" has the meaning given in s. ~~22.01~~
12 16.97 (7).

13 *b0191/2.2* SECTION 874c. 29.171 (3) of the statutes is amended to read:
14 29.171 (3) The department shall issue to each person who is issued a resident
15 archer hunting license a deer tag ~~and a back tag.~~

16 *b0191/2.2* SECTION 874e. 29.173 (3) of the statutes is amended to read:
17 29.173 (3) ~~DEER TAG AND BACK TAG.~~ The department shall issue to each person
18 who is issued a resident deer hunting license a deer tag ~~and a back tag.~~

19

20 *b0191/2.2* SECTION 874m. 29.211 (3) of the statutes is amended to read:
21 29.211 (3) ~~DEER TAG AND BACK TAG.~~ The department shall issue to each person
22 who is issued a nonresident deer hunting license a deer tag ~~and a back tag.~~

23 *b0191/2.2* SECTION 874o. 29.216 (3) of the statutes is amended to read:
24 29.216 (3) ~~DEER TAG AND BACK TAG.~~ The department shall issue to each person
25 who is issued a nonresident archer hunting license a deer tag ~~and a back tag.~~

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SECTION 874q

1 ***b0191/2.2* SECTION 874q.** 29.231 (4) of the statutes is amended to read:

2 29.231 (4) The department shall issue to each person who is issued a sports
3 license a deer tag and back tag.

4 ***b0191/2.2* SECTION 874s.** 29.235 (4) of the statutes is amended to read:

5 29.235 (4) ~~DEER TAG AND BACK TAG.~~ The department shall issue to each person
6 who is issued a conservation patron license a deer tag and back tag.

7 ***b0191/2.2* SECTION 874u.** 29.301 (3) of the statutes is repealed.

8 ***-0459/P1.2* SECTION 875.** 29.319 (2) of the statutes is amended to read:

9 29.319 (2) Any fees collected by the department under this section shall be
10 deposited in the conservation fund ~~to be used for department activities relating to~~
11 ~~fish and wildlife~~ and credited to the appropriation for the endangered resources
12 program under s. 20.370 (1) (fs).

13 ***b0191/2.3* SECTION 875m.** 29.561 of the statutes is repealed.

14 ***-1635/1.1* SECTION 876.** 29.563 (2) (a) 1. of the statutes is amended to read:

15 29.563 (2) (a) 1. Small game: ~~\$12.25~~ ^{check Δ} \$14.25.

16 ***-1635/1.2* SECTION 877.** 29.563 (2) (a) 2. of the statutes is amended to read:

17 29.563 (2) (a) 2. Small game issued to a resident senior citizen: ~~\$5.25~~ ^{check Δ} \$6.25.

18 ***-1635/1.3* SECTION 878.** 29.563 (2) (a) 4. of the statutes is amended to read:

19 29.563 (2) (a) 4. Small game issued to 12-year-olds to 17-year-olds: ~~\$6.25~~
20 \$7.25.

21 ***b0190/3.5* SECTION 879m.** 29.563 (2) (a) 5m. of the statutes is amended to
22 read:

23 29.563 (2) (a) 5m. Elk: ~~\$39.25~~ [✓] \$43.25.

24 ***-1635/1.5* SECTION 880.** 29.563 (2) (a) 6. of the statutes is amended to read:

25 29.563 (2) (a) 6. Class A bear: ~~\$39.25~~ ^{check Δ} \$43.25.

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1 ***-1635/1.6*** SECTION 881. 29.563 (2) (a) 7. of the statutes is amended to read:

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

3 ***-1635/1.8*** SECTION 883. 29.563 (2) (a) 9. of the statutes is amended to read:

4 29.563 (2) (a) 9. Wild turkey: ~~\$9.25~~ \$11.25. ^{check A}

5 ***-1635/1.9*** SECTION 884. 29.563 (2) (b) 1. of the statutes is amended to read:

6 29.563 (2) (b) 1. Annual small game: ~~\$73.25~~ \$78.25.

7 ***-1635/1.10*** SECTION 885. 29.563 (2) (b) 2. of the statutes is amended to read:

8 29.563 (2) (b) 2. Five-day small game: ~~\$41.25~~ \$48.25.

9 ***-1635/1.11*** SECTION 886. 29.563 (2) (b) 3. of the statutes is amended to read:

10 29.563 (2) (b) 3. Deer: ~~\$133.25~~ \$158.25.

11 ***b0190/3.9*** SECTION 886m. 29.563 (2) (b) 3m. of the statutes is amended to

12 read:

13 29.563 (2) (b) 3m. Elk: ~~\$199.25~~ \$249.25. ✓

14 ***-1635/1.12*** SECTION 887. 29.563 (2) (b) 4. of the statutes is amended to read:

15 29.563 (2) (b) 4. Class A bear: ~~\$199.25~~ \$249.25.

16 ***-1635/1.13*** SECTION 888. 29.563 (2) (b) 5. of the statutes is amended to read:

17 29.563 (2) (b) 5. Class B bear: ~~\$98.25~~ \$108.25.

18 ***-1635/1.14*** SECTION 889. 29.563 (2) (b) 6. of the statutes is amended to read:

19 29.563 (2) (b) 6. Archer: ~~\$133.25~~ \$158.25.

20 ***-1635/1.15*** SECTION 890. 29.563 (2) (b) 7. of the statutes is amended to read:

21 29.563 (2) (b) 7. Fur-bearing animal: ~~\$148.25~~ \$158.25.

22 ***-1635/1.16*** SECTION 891. 29.563 (2) (b) 8. of the statutes is amended to read:

23 29.563 (2) (b) 8. Wild turkey: ~~\$53.25~~ \$58.25.

24 ***-1635/1.17*** SECTION 892. 29.563 (3) (a) 1. of the statutes is amended to read:

25 29.563 (3) (a) 1. Annual: ~~\$13.25~~ \$16.25. ^{check A}

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- 1 ***-1635/1.19*** SECTION 894. 29.563 (3) (a) 3. of the statutes is amended to read:
2 29.563 (3) (a) 3. Husband and wife: ~~\$23.25~~ ^{check Δ} \$28.25.
- 3 ***-1635/1.20*** SECTION 895. 29.563 (3) (a) 5. of the statutes is amended to read:
4 29.563 (3) (a) 5. Two-day sports fishing: ~~\$9.25~~ \$13.25.
- 5 ***-1635/1.22*** SECTION 897. 29.563 (3) (b) 1. to 5. of the statutes are amended
6 to read:
7 29.563 (3) (b) 1. Annual: ~~\$33.25~~ \$39.25.
8 2. Annual family: ~~\$51.25~~ \$64.25.
9 3. Fifteen-day: ~~\$19.25~~ \$23.25.
10 4. Fifteen-day family: ~~\$29.25~~ \$39.25.
11 5. Four-day: ~~\$14.25~~ \$17.25.
- 12 ***-1635/1.23*** SECTION 898. 29.563 (3) (c) 2. of the statutes is amended to read:
13 29.563 (3) (c) 2. Great Lakes trout and salmon: \$7 \$9.75.
- 14 ***-1635/1.24*** SECTION 899. 29.563 (4) (a) 1. of the statutes is amended to read:
15 29.563 (4) (a) 1. Sports: ~~\$41.25~~ ^{check Δ} \$43.25 or a greater amount at the applicant's
16 option.
- 17 ***b0193/1.1*** SECTION 899e. 29.563 (4) (a) 1m. of the statutes is created to read:
18 29.563 (4) (a) 1m. Sports issued to 12-year-olds to 17-year-olds: \$33.25 or a
19 greater amount at the applicant's option.
- 20 ***-1635/1.25*** SECTION 900. 29.563 (4) (a) 2. of the statutes is amended to read:
21 29.563 (4) (a) 2. Conservation patron: ~~\$107.25~~ \$137.25 or a greater amount at
22 the applicant's option.
- 23 ***b0193/1.2*** SECTION 900e. 29.563 (4) (a) 2m. of the statutes is created to read:
24 29.563 (4) (a) 2m. Conservation patron issued to 12-year-olds to 17-year-olds:
25 \$72.25 or a greater amount at the applicant's option.

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1 *~~1635/1.26~~* SECTION 901. 29.563 (4) (b) 1. of the statutes is amended to read:
2 29.563 (4) (b) 1. Sports: ~~\$238.25~~ \$273.25 or a greater amount at the applicant's
3 option.

4 *~~b0193/1.3~~* SECTION 901e. 29.563 (4) (b) 1m. of the statutes is created to read:
5 29.563 (4) (b) 1m. Sports issued to 12-year-olds to 17-year-olds: \$33.25 or a
6 greater amount at the applicant's option.

7 *~~1635/1.27~~* SECTION 902. 29.563 (4) (b) 2. of the statutes is amended to read:
8 29.563 (4) (b) 2. Conservation patron: ~~\$572.25~~ \$597.25 or a greater amount at
9 the applicant's option.

10 *~~b0193/1.4~~* SECTION 902e. 29.563 (4) (b) 2m. of the statutes is created to read:
11 29.563 (4) (b) 2m. Conservation patron issued to 12-year-olds to 17-year-olds:
12 \$72.25 or a greater amount at the applicant's option.

13 *~~1635/1.28~~* SECTION 903. 29.563 (6) (a) 1. of the statutes is amended to read:
14 29.563 (6) (a) 1. Trapping: ~~\$17.25~~ \$19.25.

15 *~~1635/1.29~~* SECTION 904. 29.563 (12) (a) 1. to 3. of the statutes are amended
16 to read:

17 29.563 (12) (a) 1. Deer: ~~\$10.25~~ \$12.25.

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

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

21 *~~1635/1.30~~* SECTION 905. 29.563 (12) (b) of the statutes is amended to read:
22 29.563 (12) (b) *Fishing*. Fishing: ~~\$6.25~~ \$8.25.

23 *~~b0191/2.4~~* SECTION 905d. 29.563 (14) (bn) of the statutes is repealed.

24 *~~b0191/2.4~~* SECTION 905f. 29.563 (14) (c) 5. of the statutes is repealed.

25 *~~b0193/1.5~~* SECTION 905e. 29.563 (13) (a) of the statutes is amended to read:

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SECTION 905e

1 29.563 (13) (a) *Surcharge generally.* The surcharge for approvals listed under
2 subs. (2) (a) 1., 2. and 4. to 9. and (b) 1. to 8. and (4) (a) 1. and 1m. and (b) 1. and 1m.
3 is \$1 and shall be added to the fee specified for these approvals under subs. (2) and
4 (4).

5 ***b0193/1.5* SECTION 905g.** 29.563 (13) (b) of the statutes is amended to read:

6 29.563 (13) (b) *Surcharge for conservation patron license.* The surcharge for
7 licenses listed under sub. (4) (a) 2. and 2m. and (b) 2. and 2m. is \$2 and shall be added
8 to the fee specified for these approvals under sub. (4).

9 ***-0529/4.80* SECTION 906.** 29.983 (1) (e) of the statutes is amended to read:

10 29.983 (1) (e) If any deposit is made for an offense to which this section applies,
11 the person making the deposit shall also deposit a sufficient amount to include the
12 wild animal protection assessment required under this section. If the deposit is
13 forfeited, the amount of the wild animal protection assessment shall be transmitted
14 to the ~~state treasurer~~ secretary of administration under par. (f). If the deposit is
15 returned, the wild animal protection assessment shall also be returned.

16 ***-0529/4.81* SECTION 907.** 29.983 (1) (f) of the statutes is amended to read:

17 29.983 (1) (f) The clerk of the court shall collect and transmit to the county
18 treasurer the wild animal protection assessment and other amounts required under
19 s. 59.40 (2) (m). The county treasurer shall then make payment to the ~~state treasurer~~
20 secretary of administration as provided in s. 59.25 (3) (f) 2.

21 ***-0529/4.82* SECTION 908.** 29.983 (2) of the statutes is amended to read:

22 29.983 (2) DEPOSIT OF WILD ANIMAL PROTECTION ASSESSMENT FUNDS. The ~~state~~
23 ~~treasurer~~ secretary of administration shall deposit the moneys collected under this
24 section into the conservation fund.

25 ***-0529/4.83* SECTION 909.** 29.985 (1) (c) of the statutes is amended to read:

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

7 *~~-0529/4.84~~* SECTION 910. 29.985 (1) (d) of the statutes is amended to read:

8 29.985 (1) (d) The clerk of the court shall collect and transmit to the county
9 treasurer the fishing shelter removal assessment and other amounts required under
10 s. 59.40 (2) (m). The county treasurer shall then make payment to the ~~state treasurer~~
11 secretary of administration as provided in s. 59.25 (3) (f) 2.

12 *~~-0529/4.85~~* SECTION 911. 29.987 (1) (c) of the statutes is amended to read:

13 29.987 (1) (c) If any deposit is made for an offense to which this section applies,
14 the person making the deposit shall also deposit a sufficient amount to include the
15 natural resources assessment prescribed in this section. If the deposit is forfeited,
16 the amount of the natural resources assessment shall be transmitted to the ~~state~~
17 ~~treasurer~~ secretary of administration under par. (d). If the deposit is returned, the
18 natural resources assessment shall also be returned.

19 *~~-0529/4.86~~* SECTION 912. 29.987 (1) (d) of the statutes is amended to read:

20 29.987 (1) (d) The clerk of the court shall collect and transmit to the county
21 treasurer the natural resources assessment and other amounts required under s.
22 59.40 (2) (m). The county treasurer shall then make payment to the state treasurer
23 as provided in s. 59.25 (3) (f) 2. The ~~state treasurer~~ secretary of administration shall
24 deposit the amount of the natural resources assessment in the conservation fund.

25 *~~-0529/4.87~~* SECTION 913. 29.989 (1) (c) of the statutes is amended to read:

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SECTION 913

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

7 *~~0529/4.88~~* SECTION 914. 29.989 (1) (d) of the statutes is amended to read:

8 29.989 (1) (d) The clerk of the court shall collect and transmit to the county
9 treasurer the natural resources restitution payment and other amounts required
10 under s. 59.40 (2) (m). The county treasurer shall then make payment to the ~~state~~
11 ~~treasurer~~ secretary of administration as provided in s. 59.25 (3) (f) 2. The ~~state~~
12 ~~treasurer~~ secretary of administration shall deposit the amount of the natural
13 resources restitution payment in the conservation fund.

14 *~~1712/5.19~~* SECTION 915. 30.275 (5) of the statutes is repealed.

15 *~~1712/5.20~~* SECTION 916. 30.277 (7) of the statutes is repealed.

16 *~~b0255/2.1~~* SECTION 918t. 30.92 (4g) of the statutes is created to read:

17 30.92 (4g) AQUATIC INVASIVE SPECIES CONTROL. Of the amounts appropriated
18 under s. 20.370 (5) (cq), and before applying the percentages under sub. (4) (b) 6., the
19 department shall allocate in fiscal year 2003–04 \$250,000 and shall allocate in fiscal
20 year 2004–05 and in each fiscal year thereafter \$500,000 for aquatic invasive species
21 prevention and control projects and for aquatic invasive species education and
22 inspection activities at boat landings. Notwithstanding sub. (4) (b) 7. and 8., the
23 projects for which moneys are provided under this subsection qualify as recreational
24 boating projects. The projects for which funding is provided under this subsection
25 need not be placed on the priority list under sub. (3) (a).

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1 *~~1712/5.21~~* SECTION 919. 30.92 (7) of the statutes is repealed.

2 *~~1712/5.22~~* SECTION 920. 30.93 (3) (b) of the statutes is amended to read:

3 30.93 (3) (b) *Authority to contract; ~~Wisconsin conservation corps~~*. The
4 commission may contract with public agencies, public or private organizations,
5 businesses, or individuals to carry out management or operation responsibilities for
6 the Fox River navigational system. The commission may contract with the
7 department of health and family services or other state agency to carry out
8 management or operation responsibilities for the Fox River navigational system.
9 ~~The commission may act as a Wisconsin conservation corps project sponsor and may~~
10 ~~enter into agreements with the Wisconsin conservation corps board to carry out~~
11 ~~management or operation responsibilities for the Fox River navigational system.~~

12 *~~1712/5.23~~* SECTION 921. 33.445 (4) of the statutes is repealed.

13 *~~1712/5.24~~* SECTION 922. 33.56 (4) of the statutes is repealed.

14 *~~1431/2.10~~* SECTION 923. 34.01 (2) (a) of the statutes is amended to read:

15 34.01 (2) (a) Any loss of public moneys, which have been deposited in a
16 designated public depository in accordance with this chapter, resulting from the
17 failure of any public depository to repay to any public depositor the full amount of
18 its deposit because the office of credit unions, administrator of federal credit unions,
19 U.S. comptroller of the currency, federal home loan bank board, U.S. office of thrift
20 supervision, federal deposit insurance corporation, resolution trust corporation, or
21 division of banking ~~or division of savings institutions~~ has taken possession of the
22 public depository or because the public depository has, with the consent and approval
23 of the office of credit unions, administrator of federal credit unions, U.S. office of
24 thrift supervision, federal deposit insurance corporation, resolution trust
25 corporation, or division of banking ~~or division of savings institutions~~, adopted a

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1 stabilization and readjustment plan or has sold a part or all of its assets to another
2 credit union, bank, savings bank, or savings and loan association which has agreed
3 to pay a part or all of the deposit liability on a deferred payment basis or because the
4 depository is prevented from paying out old deposits because of rules of the office of
5 credit unions, administrator of federal credit unions, U.S. comptroller of the
6 currency, federal home loan bank board, U.S. office of thrift supervision, federal
7 deposit insurance corporation, resolution trust corporation, or division of banking ~~or~~
8 ~~division of savings institutions.~~

9 ***-0529/4.89* SECTION 924.** 34.045 (1) (b) of the statutes is amended to read:

10 34.045 (1) (b) Establish procedures by which state agencies and departments
11 pay for services through compensating balances or fees, or a combination of both
12 methods. ~~In the case of the state treasurer's accounts, direct the state treasurer~~
13 Direct the secretary of administration to maintain compensating balances, or direct
14 the investment board to pay bank service costs as allocated by the ~~state treasurer~~
15 secretary of administration under s. 25.19 (3) directly from the income account of the
16 state investment fund, or by a combination of such methods.

17 ***-0529/4.90* SECTION 925.** 34.08 (2) of the statutes is amended to read:

18 34.08 (2) Payments under sub. (1) shall be made in the order in which
19 satisfactory proofs of loss are received by the division of banking. The payment made
20 to any public depositor for all losses of the public depositor in any individual public
21 depository may not exceed \$400,000 above the amount of deposit insurance provided
22 by an agency of the United States or by the Wisconsin Credit Union Savings
23 Insurance Corporation at the public depository which experienced the loss. Upon a
24 satisfactory proof of loss, the division of banking shall direct the department of
25 administration to draw its warrant payable from the appropriation under s. 20.144

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1 (1) (a) and the ~~state treasurer~~ secretary of administration shall pay the warrant
2 under s. ~~14.58~~ 16.401 (4) in favor of the public depositor that has submitted the proof
3 of loss.

4 *~~1431/2.11~~* **SECTION 926.** 34.10 of the statutes is amended to read:

5 **34.10 Reorganization and stabilization of financial institutions.**
6 Whenever the office of credit unions, administrator of federal credit unions, U.S.
7 comptroller of the currency, federal home loan bank board, U.S. office of thrift
8 supervision, federal deposit insurance corporation, resolution trust corporation, or
9 ~~division of banking or division of savings institutions~~ has taken charge of a credit
10 union, bank, savings bank, or savings and loan association with a view of restoring
11 its solvency, pursuant to law, or with a view of stabilizing and readjusting the
12 structure of any national or state credit union, bank, savings bank, or savings and
13 loan association located in this state, and has approved a reorganization plan or a
14 stabilization and readjustment agreement entered into between the credit union,
15 bank, savings bank, or savings and loan association and depositors and unsecured
16 creditors, or when a credit union, bank, savings bank, or savings and loan
17 association, with the approval of the office of credit unions, administrator of federal
18 credit unions, U.S. comptroller of the currency, federal home loan bank board, U.S.
19 office of thrift supervision, federal deposit insurance corporation, resolution trust
20 corporation, or ~~division of banking or division of savings institutions~~ proposes to sell
21 its assets to another credit union, bank, savings bank, or savings and loan
22 association which agrees to assume a part or all of the deposit liability of such selling
23 credit union, bank, savings bank, or savings and loan association and to pay the same
24 on a deferred payment basis, the governing board of the public depositor may, on the
25 approval of the division of banking, join in the execution of any reorganization plan,

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1 or any stabilization and readjustment agreement, or any depositor's agreement
2 relative to a proposed sale of assets if, in its judgment and that of the division of
3 banking, the reorganization plan or stabilization and readjustment agreement or
4 proposed sale of assets is in the best interest of all persons concerned. The joining
5 in any reorganization plan, or any stabilization and readjustment agreement, or any
6 proposed sale of assets which meets the approval of the division of banking does not
7 waive any rights under this chapter.

8 ***-1630/2.25* SECTION 927.** 35.24 (3) of the statutes is amended to read:

9 35.24 (3) Reprints of the feature article shall be bound in paper covers and shall
10 be in such quantity as is authorized for each specific reprint by the joint committee
11 on legislative organization. The cost of reprints shall be paid from the appropriation
12 under s. 20.765 (1) (d) or (5).

13 ***-1630/2.26* SECTION 928.** 35.91 (1) of the statutes is amended to read:

14 35.91 (1) The latest edition of the Wisconsin statutes shall be sold at a price,
15 calculated to the nearest dollar, to be fixed by the department, based on cost plus 75%
16 of the revisor's expenditures under s. 20.765 (3) (a) or (5) during the preceding
17 biennium. The department may sell noncurrent editions of the Wisconsin statutes
18 and Wisconsin annotations at reduced prices to be fixed by it.

19 ***-1630/2.27* SECTION 929.** 35.93 (9) of the statutes is amended to read:

20 35.93 (9) The department shall charge the legislature under s. 20.765 (1) (d)
21 or (5) for the cost of distribution of the code and the register, including the costs
22 specified in s. 35.80, and shall deposit all revenues received from their sale into the
23 general fund.

24 ***-0576/8.54* SECTION 930.** 36.09 (1) (i) of the statutes is amended to read:

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1 36.09 (1) (i) Upon recommendation of the president and the administrator of
2 the division of merit recruitment and selection in the ~~department of employment~~
3 ~~relations office of state human resources management~~, the board and the secretary
4 of ~~employment relations~~ director of the office ^{check Δ} shall jointly adopt general policies
5 governing the designation of positions to be exempt from the classified service as
6 academic staff as defined in s. 36.15 (1) (a) and (b). No position in the classified
7 service may be designated as an academic staff position under the general policies
8 unless the ~~secretary of employment relations~~ director of the office of state human
9 resources management ^{check Δ} approves the designation.

10 *~~0576/8.55~~* SECTION 931. 36.09 (1) (j) of the statutes is amended to read:

11 36.09 (1) (j) Except where such matters are a subject of bargaining with a
12 certified representative of a collective bargaining unit under s. 111.91, the board
13 shall establish salaries for persons not in the classified staff prior to July 1 of each
14 year for the next fiscal year, and shall designate the effective dates for payment of
15 the new salaries. In the first year of the biennium, payments of the salaries
16 established for the preceding year shall be continued until the biennial budget bill
17 is enacted. If the budget is enacted after July 1, payments shall be made following
18 enactment of the budget to satisfy the obligations incurred on the effective dates, as
19 designated by the board, for the new salaries, subject only to the appropriation of
20 funds by the legislature and s. 20.928 (3). This paragraph does not limit the
21 authority of the board to establish salaries for new appointments. The board may
22 not increase the salaries of employees specified in ss. 20.923 (5) and (6) (m) and
23 230.08 (2) (d) under this paragraph unless the salary increase conforms to the
24 proposal as approved under s. 230.12 (3) (e) or the board authorizes the salary
25 increase to correct salary inequities under par. (h), to fund job reclassifications or

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1 promotions, or to recognize competitive factors. The board may not increase the
2 salary of any position identified in s. 20.923 (4g) under this paragraph unless the
3 salary increase conforms to the proposal as approved under s. 230.12 (3) (e) or the
4 board authorizes the salary increase to correct a salary inequity or to recognize
5 competitive factors. The board may not increase the salary of any position identified
6 in s. 20.923 (4g) (ae) and (am) to correct a salary inequity that results from the
7 appointment of a person to a position identified in s. 20.923 (4g) (ae) and (am) unless
8 the increase is approved by the ~~department of employment relations~~ office of state
9 human resources management. The granting of salary increases to recognize
10 competitive factors does not obligate inclusion of the annualized amount of the
11 increases in the appropriations under s. 20.285 (1) for subsequent fiscal bienniums.
12 No later than October 1 of each year, the board shall report to the joint committee
13 on finance and the ~~departments~~ secretary of administration and ~~employment~~
14 relations director of the office of state human resources management ^{check A} concerning the
15 amounts of any salary increases granted to recognize competitive factors, and the
16 institutions at which they are granted, for the 12-month period ending on the
17 preceding June 30.

18
19 ***b0231/5.9* SECTION 932m.** 36.11 (48) of the statutes is created to read:

20 **36.11 (48) REPORT ON UTILITY CHARGES; ASSESSMENT OF CERTAIN UTILITY CHARGES.**

21 The board shall ensure that the University of Wisconsin-Madison reports annually
22 to the department of administration on utility charges in the following fiscal year to
23 fund principal and interest costs incurred in purchasing the Walnut Street steam
24 and chilled-water plant enumerated under 2003 Wisconsin Act (this act), section
25 9106 (1) (g) 2., and the methodology used to calculate those charges. The board may

SENATE BILL 44

SECTION 932m

1 not assess the utility charges until the charges are approved by the department of
2 administration.

3 ***-1735/6.5* SECTION 933.** 36.25 (14) of the statutes is amended to read:

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

13 ***b0239/2.8* SECTION 933g.** 36.25 (14) of the statutes, as affected by 2003
14 Wisconsin Act ... (this act), is amended to read:

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

24 ***b0306/4.31* SECTION 934d.** 36.25 (38) (a) of the statutes is amended to read:

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1 36.25 (38) (a) In this subsection, "educational technology" has the meaning
2 given in s. 44.70 16.99 (3).

3 *-1289/7.106* SECTION 935. 36.25 (38) (b) 6. of the statutes is amended to read:

4 36.25 (38) (b) 6. To pay the department of ~~electronic government~~
5 administration for telecommunications services provided under s. ~~22.05~~ 16.972 (1).

6 *-0576/8.56* SECTION 936. 36.27 (1) (am) 2. of the statutes is amended to read:

7 36.27 (1) (am) 2. The approved recommendations of the ~~secretary of~~
8 ~~employment relations~~ director of the office of state human resources management
9 for compensation and fringe benefits for classified staff, for unclassified employees
10 specified in s. 230.12 (1) (a) 1. b., and for unclassified employees specified in s. 230.12

11 (3) (e). If these recommendations have not been approved by the joint committee on
12 employment relations by the time the board sets academic fees, the board may raise
13 academic fees for resident undergraduate students by an amount sufficient to fund

14 the recommendations of the ^{check Δ} ~~secretary of employment relations~~ director of the office
15 of state human resources management for compensation and fringe benefits for
16 classified staff and for unclassified employees specified in s. 230.12 (1) (a) 1. b. and
17 the board's recommendations for unclassified employees specified in s. 230.12 (3) (e).

18 If the ~~secretary of employment relations~~ director of the office of state human
19 resources management has not made recommendations by the time the board sets

20 academic fees, the board may raise academic fees for resident undergraduate
21 students by an amount sufficient to fund the board's estimate of compensation and
22 fringe benefits for classified staff and for unclassified employees specified in s. 230.12

23 (1) (a) 1. b. and the board's recommendations for unclassified employees specified in
24 s. 230.12 (3) (e). If the board sets academic fees based upon the board's estimate and
25 the board's unapproved recommendations, and the recommendations of the board

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SENATE BILL 44

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1 and the ~~secretary of employment relations~~ director of the office of state human
 2 resources management as finally approved by the joint committee on employment
 3 relations call for a lower rate of compensation and fringe benefits than the board's
 4 estimate and unapproved recommendations, the board shall lower academic student
 5 fees for resident undergraduate students for the next academic year by an amount
 6 equal to the difference between the academic fees charged and an amount sufficient
 7 to fund the approved recommendations. If the board sets academic fees based upon
 8 the board's estimate and unapproved recommendations, and the recommendations
 9 of the board and the ~~secretary of employment relations~~ director of the office of state
 10 human resources management as finally approved by the joint committee on
 11 employment relations call for a higher rate of compensation and fringe benefits than
 12 the board's estimate and unapproved recommendations, the board may raise
 13 academic student fees for resident undergraduate students for the next academic
 14 year by an amount equal to the difference between the academic fees charged and
 15 an amount sufficient to fund the approved recommendations.

check Δ

16 ***-1735/6.6* SECTION 939.** 36.34 (1) (b) of the statutes is amended to read:
 17 36.34 (1) (b) The board shall establish a grant program for minority
 18 undergraduates enrolled in the system. The board shall designate all grants under
 19 this subsection as Lawton grants. Grants shall be awarded from the appropriation
 20 appropriations under s. 20.285 (4) (dd) and (g). The board may not make a grant
 21 under this subsection to a person whose name appears on the statewide support lien
 22 docket under s. 49.854 (2) (b), unless the person provides to the board a payment
 23 agreement that has been approved by the county child support agency under s. 59.53
 24 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a).

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SECTION 939g

1 ***b0239/2.9* SECTION 939g.** 36.34 (1) (b) of the statutes, as affected by 2003
2 Wisconsin Act (this act), is amended to read:

3 36.34 (1) (b) The board shall establish a grant program for minority
4 undergraduates enrolled in the system. The board shall designate all grants under
5 this subsection as Lawton grants. Grants shall be awarded from the appropriations
6 appropriation under s. 20.285 (4) (dd) ~~and (g)~~. The board may not make a grant under
7 this 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 ***b0239/2.9* SECTION 939m.** 36.34 (1) (c) 1. a. and b. and 2. (intro.) of the
12 statutes are amended to read:

13 36.34 (1) (c) 1. a. For purposes of determining the appropriation under s. 20.285
14 (4) (dd) for fiscal year ~~2003–04~~ 2005–06, “base amount” means the amount shown in
15 the schedule under s. 20.005 for that appropriation for fiscal year ~~2002–03~~ 2004–05.

16 b. For purposes of determining the appropriation under s. 20.285 (4) (dd) for
17 each fiscal year after fiscal year ~~2003–04~~ 2005–06, “base amount” means the
18 appropriation determined under subd. 2. for the previous fiscal year.

19 2. (intro.) ~~Annually~~ Beginning in 2005, annually, by February 1, the board shall
20 determine the appropriation under s. 20.285 (4) (dd) for the next fiscal year as
21 follows:

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

SENATE BILL 44

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

6 ***-1733/1.5* SECTION 943.** 38.04 (28) of the statutes is created to read:

7 38.04 (28) HEALTH CARE EDUCATION PROGRAMS. From the appropriation under
8 s. 20.292 (1) (ch), the board shall award grants to district boards to expand health
9 care education programs.

10 ***b0335/3.1* SECTION 943m.** 38.17 of the statutes is created to read:

11 **38.17 Levy limit. (1) DEFINITION.** In this section, “debt service” includes debt
12 service on debt issued or reissued to fund or refund outstanding municipal
13 obligations, interest on outstanding municipal obligations, and related issuance
14 costs and redemption premiums.

15 **(2) LIMIT.** Except as provided in subs. (3) and (4), no district board may increase
16 its levy for any fiscal year to an amount that exceeds its levy for the previous fiscal
17 year multiplied by 1.026.

18 **(3) ADJUSTMENTS. (a) 1.** If a district board transfers to another governmental
19 unit responsibility for providing any service that it provided in the preceding fiscal
20 year, the limit otherwise applicable under sub. (2) in the current fiscal year is
21 decreased by the cost that it would have incurred to provide that service, as
22 determined by the department of revenue.

23 2. If a district board increases the services that it provides by adding
24 responsibility for providing a service transferred to it from another governmental
25 unit that provided the service in the previous fiscal year, the limit otherwise

SENATE BILL 44**SECTION 943m**

1 applicable under sub. (2) in the current fiscal year is increased by the cost of that
2 service, as determined by the department of revenue.

3 (b) If the amount of debt service for a district board in the preceding fiscal year
4 is less than the amount of debt service needed in the current fiscal year, as a result
5 of the district board adopting a resolution before the effective date of this paragraph
6 [revisor inserts date], authorizing the issuance of debt, the limit otherwise
7 applicable under sub. (2) for the current fiscal year is increased by the difference
8 between the 2 amounts, as determined by the department of revenue.

9 (4) REFERENDUM. (a) 1. A district board may exceed the levy limit under sub.
10 (2) if it adopts a resolution to that effect and the resolution is approved in a
11 referendum. The resolution shall specify the proposed amount of increase in the levy
12 beyond the amount that is allowed under sub. (2).

13 2. Except as provided in subd. 3., the district board may call a special
14 referendum for the purpose of submitting the resolution to the electors of the district
15 for approval or rejection.

16 3. A referendum to exceed the limit under sub. (2) for the levy for the 2004–05
17 fiscal year shall be held at the spring primary or election or September primary or
18 general election in 2004.

19 (b) The district board shall publish type A, B, C, D, and E notices of the
20 referendum under s. 10.01 (2). Section 5.01 (1) applies in the event of failure to
21 comply with the notice requirements of this paragraph.

22 (c) The referendum shall be held in accordance with chs. 5 to 12. The district
23 board shall provide the election officials with all necessary election supplies. The
24 form of the ballot shall correspond substantially with the standard form for
25 referendum ballots prescribed by the elections board under ss. 5.64 (2) and 7.08 (1)

SENATE BILL 44**SECTION 943m**

1 (a). The question shall be submitted as follows: “Under state law, the percentage
2 increase in the levy of the ... (name of district) for the next fiscal year, ... (year), is
3 limited to ...%, resulting in a levy of \$..... Shall the ... (name of district) be allowed
4 to exceed this limit such that the percentage increase for the next fiscal year, ...
5 (year), will be ...%, resulting in a levy of \$....?”.

6 (d) Within 14 days after the referendum, the district board shall certify the
7 results of the referendum to the department of revenue. The limit otherwise
8 applicable to the district under sub. (2) is increased for the next fiscal year by the
9 amount approved by a majority of those voting on the question.

10 (5) SUNSET. This section does not apply after June 30, 2006.

11 *-1733/1.6* SECTION 944. 38.28 (1m) (a) 1. of the statutes is amended to read:

12 38.28 (1m) (a) 1. “District aidable cost” means the annual cost of operating a
13 technical college district, including debt service charges for district bonds and
14 promissory notes for building programs or capital equipment, but excluding all
15 expenditures relating to auxiliary enterprises and community service programs, all
16 expenditures funded by or reimbursed with federal revenues, all receipts under sub.
17 (6) and ss. 38.12 (9), 38.14 (3) and (9), 118.15 (2) (a), 118.55 (7r), and 146.55 (5), all
18 receipts from grants awarded under ss. 38.04 (8), ~~(19)~~, (20), (28), and (31), 38.14 (11),
19 38.26, 38.27, ~~38.31~~, 38.33, and 38.38, all fees collected under s. 38.24, and driver
20 education and chauffeur training aids.

21 *-1733/1.7* SECTION 945. 38.31 of the statutes is repealed.

22 *-0529/4.92* SECTION 946. 38.36 (6) of the statutes is amended to read:

23 38.36 (6) The district board may file a claim with the department of public
24 instruction for reimbursement for reasonable expenses incurred, excluding capital
25 equipment costs, but not to exceed 15% of the cost of the meal or 50 cents per meal,

SENATE BILL 44**SECTION 946**

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

5 ***b0174/6.9* SECTION 946d.** 38.40 (title) of the statutes is created to read:

6 **38.40 (title) Technical preparation, school-to-work, and work-based**
7 **learning programs.**

8 ***b0174/6.9* SECTION 946e.** 38.40 (1) of the statutes is created to read:

9 **38.40 (1) EMPLOYMENT AND EDUCATION PROGRAM ADMINISTRATION.** The board shall
10 plan, coordinate, administer, and implement the technical preparation,
11 school-to-work, and work-based learning programs under sub. (1m) and such other
12 employment and education programs as the governor may by executive order assign
13 to the board. Notwithstanding any limitations placed on the use of state employment
14 and education funds under this section or under an executive order assigning an
15 employment and education program to the board, the board may issue a general or
16 special order waiving any of those limitations on finding that the waiver will promote
17 the coordination of employment and education services.

18 ***b0174/6.9* SECTION 946f.** 38.40 (1m) (intro.) of the statutes is created to read:

19 **38.40 (1m) (intro.) TECHNICAL PREPARATION, SCHOOL-TO-WORK, AND WORK-BASED**
20 **LEARNING PROGRAMS.** The board shall provide all of the following programs:

21 ***b0174/6.9* SECTION 946g.** 38.40 (1m) (a) of the statutes is created to read:

22 **38.40 (1m) (a)** A technical preparation program that includes the technical
23 preparation program under s. 118.34.

24 ***b0174/6.9* SECTION 946j.** 38.40 (2) of the statutes is created to read:

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1 38.40 (2) INTERAGENCY ASSISTANCE. The council on workforce investment
2 established under 29 USC 2821 and the department of public instruction shall assist
3 the board in providing the technical preparation, school-to-work, and work-based
4 learning programs under sub. (1m).

5 ***b0174/6.9* SECTION 946k.** 38.40 (2m) of the statutes is created to read:

6 38.40 (2m) SKILL STANDARDS. The board shall approve statewide skill standards
7 for the school-to-work program under sub. (1m) (b).

8 ***b0174/6.9* SECTION 946m.** 38.40 (5) of the statutes is created to read:

9 38.40 (5) RULES. The board shall promulgate rules to implement this section.

10 ***-0602/1.3* SECTION 947.** 39.11 (16g) of the statutes is amended to read:

11 39.11 (16g) Expend at least \$140,200 in each fiscal year ~~1994-95 and every~~
12 ~~fiscal year thereafter~~ for the development and periodic update of instructional
13 television programs that are specific to this state for use in schools. Funds may be
14 expended for the programs from the appropriation under s. 20.225 (1) (f), (g), ~~(h)~~ or
15 (m).

16 ***-1263/1.2* SECTION 948.** 39.155 (1) of the statutes is amended to read:

17 39.155 (1) ~~Subject to sub. (3), all~~ All funds appropriated to the Medical College
18 of Wisconsin, Inc., under s. 20.250 (1) (a) shall be based on a per capita formula for
19 an amount for each Wisconsin resident enrolled at the college who is paying full
20 tuition. A student's qualification as a resident of this state shall be determined by
21 the higher educational aids board in accordance 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.

22 ***-1263/1.3* SECTION 950.** 39.155 (2) of the statutes is amended to read:

SENATE BILL 44

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

11 *~~1263/1.4~~* SECTION 952. 39.155 (3) of the statutes is repealed.

12
13
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15
16 *~~b0200/1.2~~* SECTION 984d. 39.435 (3) of the statutes is amended to read:

17 39.435 (3) Grants under sub. (1) shall not be less than \$250 during any one
18 academic year, unless the joint committee on finance approves an adjustment in the
19 amount of the minimum grant. Grants under sub. (1) shall not exceed ~~\$1,800~~ \$2,500
20 during any one academic year. The board shall, by rule, establish a reporting system
21 to periodically provide student economic data and shall promulgate other rules the
22 board deems 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.

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1 ***b0239/2.10* SECTION 986b.** 39.435 (7) (a) 1. of the statutes is amended to
2 read:

3 39.435 (7) (a) 1. For purposes of determining the appropriation under s. 20.235
4 (1) (fe) for fiscal year ~~2003–04~~ 2005–06, “base amount” means the amount shown in
5 the schedule under s. 20.005 for that appropriation for fiscal year ~~2002–03~~ 2004–05.

6 ***b0239/2.10* SECTION 987b.** 39.435 (7) (a) 2. of the statutes is amended to
7 read:

8 39.435 (7) (a) 2. For purposes of determining the appropriation under s. 20.235
9 (1) (fe) for each fiscal year after fiscal year ~~2003–04~~ 2005–06, “base amount” means
10 the maximum appropriation amount determined under par. (b) for the previous fiscal
11 year.

12 ***b0239/2.10* SECTION 988b.** 39.435 (7) (b) (intro.) of the statutes is amended
13 to read:

14 39.435 (7) (b) (intro.) Annually, by beginning on February 1, 2005, the board
15 shall determine the appropriation under s. 20.235 (1) (fe) for the next fiscal year as
16 follows:

17 ***-1735/6.8* SECTION 989.** 39.435 (8) of the statutes is created to read:

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

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

20 ***-0912/2.1* SECTION 995.** 40.02 (17) (intro.) of the statutes is amended to read:

21 40.02 (17) (intro.) “Creditable service” means the creditable current and prior
22 service, expressed in years and fractions of a year to the nearest one–hundredth, for
23 which a participating employee receives or is considered to receive earnings under

SENATE BILL 44

SECTION 995

1 sub. (22) (e) or (em) and for which contributions have been made as required by s.
2 40.05 (1) and (2) and creditable military service, service credited under s. 40.25 (7)
3 40.285 (2) (b) and service credited under s. 40.29, expressed in years and fractions
4 of years to the nearest one-hundredth. How much service in any annual earnings
5 period is the full-time equivalent of one year of creditable service shall be
6 determined by rule by the department and the rules may provide for differing
7 equivalents for different types of employment. Except as provided under ~~pars. (i) and~~
8 ~~(k)~~ s. 40.285 (2) (e) and (f), the amount of creditable service for periods prior to
9 January 1, 1982, shall be the amount for which the participant was eligible under
10 the applicable laws and rules in effect prior to January 1, 1982. No more than one
11 year of creditable service shall be granted for any annual earnings period. Creditable
12 service is determined in the following manner for the following persons:

13 *~~0912/2.2~~* SECTION 996. 40.02 (17) (b) of the statutes is renumbered 40.285
14 (2) (d) and amended to read:

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

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1 ~~amount shall be credited and treated as an employee required contribution for all~~
2 ~~purposes of the Wisconsin retirement system.~~

3 *~~0912/2.3~~* SECTION 997. 40.02 (17) (e) of the statutes is renumbered 40.285
4 (2) (c) and amended to read:

5 40.285 (2) (c) Uncredited elected official and executive participating employee
6 service. Each executive participating employee whose creditable service terminates
7 on or after May 3, 1988, and each participating employee who is a present or former
8 elected official or an appointee of a present or former elected official and who did not
9 receive creditable service under s. 40.02 (17) (e), 1987 stats., or s. 40.02 (17) (e), 1989
10 stats., and whose creditable service terminates on or after August 15, 1991, who was
11 previously in the position of the president of the University of Wisconsin System or
12 in a position designated under s. 20.923 (4), (8), or (9), but did not receive creditable
13 service because of age restrictions, may receive creditable service equal to the period
14 of executive service not credited if the participant pays to the department a lump sum
15 payment equal to 5.5% of one-twelfth of the employee's highest earnings in a single
16 annual earnings period multiplied by the number of months of creditable service
17 granted under this paragraph. ~~That amount shall be credited and treated as an~~
18 ~~employee required contribution for all purposes of the Wisconsin retirement system.~~

19 *~~0912/2.4~~* SECTION 998. 40.02 (17) (i) of the statutes is renumbered 40.285
20 (2) (e), and 40.285 (2) (e) (intro.) and 3., as renumbered, are amended to read:

21 40.285 (2) (e) Teacher improvement leave. (intro.) Each participating employee
22 in the Wisconsin retirement system whose creditable service terminates on or after
23 April 25, 1990, and whose earnings include compensation for teacher improvement
24 leave granted by the board of regents of the Wisconsin state colleges State Colleges
25 during the period beginning on January 1, 1964, and ending on August 31, 1967, in

SENATE BILL 44

SECTION 998

1 a written and satisfied contract, may receive creditable service for the period for
2 which those earnings were received in an amount not to exceed one year if all of the
3 following apply:

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

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

11 *-0912/2.5* SECTION 999. 40.02 (17) (k) of the statutes is renumbered 40.285
12 (2) (f) and amended to read:

13 40.285 (2) (f) Uncredited junior teaching service. Each participating employee
14 whose creditable service terminates on or after May 11, 1990, and who submits to the
15 department proof that the participant performed service in this state as a junior
16 teacher, as defined in s. 42.20 (6), 1955 stats., that was not credited under s. 42.40,
17 1955 stats., shall receive creditable service for the period for which that service was
18 performed, even if the participant did not become a member of the state teachers
19 retirement system after performing that service, if all of the following occur:

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

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

3 *~~1712/5.25~~* SECTION 1000. 40.02 (25) (b) 2m. of the statutes is repealed.

4 *~~1698/3.1~~* SECTION 1001. 40.02 (25) (b) 6e. of the statutes is created to read:
5 40.02 (25) (b) 6e. A state employee who terminates creditable service after
6 attaining 20 years of creditable service, remains a participant, and is not eligible for
7 an immediate annuity.

8 *~~b0390/1.1~~* SECTION 1001m. 40.02 (49) of the statutes is amended to read:
9 40.02 (49) “Retired employee” means a former insured employee who is not a
10 participating employee and who is retired on an immediate or disability annuity or
11 who receives a lump sum payment under s. 40.25 (1) which would have been an
12 immediate annuity if paid as an annuity or who is an eligible employee under sub.
13 (25) (b) 6., 6e., or 6g.

14 *~~1757/4.1~~* SECTION 1002. 40.03 (6) (c) of the statutes is amended to read:
15 40.03 (6) (c) Shall not enter into any agreements to modify or expand group
16 insurance coverage in a manner which conflicts with this chapter or rules of the
17 department or materially affects the level of premiums required to be paid by the
18 state or its employees, or the level of benefits to be provided, under any group
19 insurance coverage. This restriction shall not be construed to prevent modifications
20 required by law, prohibit the group insurance board from modifying the standard
21 plan to establish a more cost effective benefit plan design or providing optional
22 insurance coverages as alternatives to the standard insurance coverage when any
23 excess of required premium over the premium for the standard coverage is paid by
24 the employee or prohibit the group insurance board from providing other plans as
25 authorized under par. (b).

SENATE BILL 44**SECTION 1003**

1 ***-0529/4.93*** **SECTION 1003.** 40.04 (3) (c) of the statutes is amended to read:

2 40.04 (3) (c) The department shall advise the investment board and the state
3 treasurer secretary of administration as to the limitations on the amounts of cash to
4 be invested from investment trusts under this subsection in order to maintain the
5 cash balances deemed advisable to meet current annuity, benefit and expense
6 requirements.

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

8 ***-0576/8.57*** **SECTION 1005.** 40.05 (1) (b) of the statutes is amended to read:

9 40.05 (1) (b) In lieu of employee payment, the employer may pay all or part of
10 the contributions required by par. (a), but all the payments shall be available for
11 benefit purposes to the same extent as required contributions deducted from
12 earnings of the participating employees. Action to assume employee contributions
13 as provided under this paragraph shall be taken at the time and in the form
14 determined by the governing body of the participating employer. The state shall pay
15 under this paragraph for employees who are covered by a collective bargaining
16 agreement under subch. V of ch. 111 and for employees whose fringe benefits are
17 determined under s. 230.12 an amount equal to 4% of the earnings paid by the state
18 unless otherwise provided in a collective bargaining agreement under subch. V of ch.
19 111 or unless otherwise determined under s. 230.12. The University of Wisconsin
20 Hospitals and Clinics Authority shall pay under this paragraph for employees who
21 are covered by a collective bargaining agreement under subch. I of ch. 111 and for
22 employees whose fringe benefits are determined under s. 233.10 an amount equal to
23 4% of the earnings paid by the authority unless otherwise provided in a collective
24 bargaining agreement under subch. I of ch. 111 or unless otherwise determined
25 under s. 233.10. The state shall pay under this paragraph for employees who are not

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

12 ***-0912/2.7* SECTION 1006.** 40.05 (2) (bw) of the statutes is amended to read:

13 40.05 (2) (bw) The employer contribution rate determined under par. (b) for the
14 University of Wisconsin System shall be adjusted to reflect the cost of granting
15 creditable service under s. ~~40.02 (17) (i)~~ 40.285 (2) (e) and that rate shall be sufficient
16 to amortize the unfunded prior service liability of the employers over the remainder
17 of the 40-year amortization period under par. (b).

18 ***-0912/2.8* SECTION 1007.** 40.05 (2) (g) 1. of the statutes is amended to read:

19 40.05 (2) (g) 1. A participating employer may make contributions as provided
20 in its compensation agreements for any participating employee in addition to the
21 employer contributions required by this subsection. The additional employer
22 contributions made under this paragraph shall be available for all benefit purposes
23 and shall be administered and invested on the same basis as employee additional
24 contributions made under sub. (1) (a) 5., except that ss. 40.24 (1) (f) and, 40.25 (4),

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1 and ~~(6)(a) 3.~~ 40.285 (2) (a) 1. c. do not apply to additional employer contributions
2 made under this paragraph.

3 ***-1712/5.26* SECTION 1008.** 40.05 (4) (a) 2. of the statutes is amended to read:

4 40.05 (4) (a) 2. For an insured employee who is an eligible employee under s.
5 40.02 (25) (a) 2. or (b) 1m. ~~or 2m.~~, the employer shall pay required employer
6 contributions toward the health insurance premium of the insured employee
7 beginning on the date on which the employee becomes insured. For an insured
8 employee who is currently employed but who is not an eligible employee under s.
9 40.02 (25) (a) 2. or (b) 1m. ~~or 2m.~~, the employer shall pay required employer
10 contributions toward the health insurance premium of the insured employee
11 beginning on the first day of the 7th month beginning after the date on which the
12 employee begins employment with the state, not including any leave of absence.

13 ***-1757/4.2* SECTION 1009.** 40.05 (4) (ag) of the statutes is repealed and
14 recreated to read:

15 40.05 (4) (ag) Beginning on January 1, 2004, except as otherwise provided in
16 accordance with a collective bargaining agreement under subch. I or V of ch. 111 or
17 s. 230.12 or 233.10 with respect to eligible employees specified in subd. 2., the
18 employer shall pay for its currently employed insured employees:

19 1. For insured part-time employees other than employees specified in s. 40.02
20 (25) (b) 2., including those in project positions as defined in s. 230.27 (1), who are
21 appointed to work less than 1,566 hours per year, an amount equal to 50% of the
22 employer contribution under subd. 2.

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

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1 *~~0576/8.58~~* SECTION 1010. 40.05 (4) (ar) of the statutes is amended to read:

2 40.05 (4) (ar) The employer shall pay under par. (a) for employees who are not
3 covered by a collective bargaining agreement under subch. I or V of ch. 111 and for
4 employees whose health insurance premium contribution rates are not determined
5 under s. 230.12 or 233.10 an amount equal to the amount specified in par. (ag) unless
6 a different amount is recommended by the ~~secretary of employment relations~~
7 director of the office of state human resources management and approved by the
8 joint committee on employment relations in the manner provided for approval of
9 changes in the compensation plan under s. 230.12 (3).

10 *~~1698/3.2~~* SECTION 1011. 40.05 (4) (b) of the statutes is amended to read:

11 40.05 (4) (b) Except as provided under pars. (bc) and (bp), accumulated unused
12 sick leave under ss. 13.121 (4), 36.30, 230.35 (2), 233.10, and 757.02 (5) and subch.
13 I or V of ch. 111 of any eligible employee shall, at the time of death, upon qualifying
14 for an immediate annuity or for a lump sum payment under s. 40.25 (1) or upon
15 termination of creditable service and qualifying as an eligible employee under s.
16 40.02 (25) (b) 6. or 10., be converted, at the employee's ~~current~~ highest basic pay rate
17 he or she received while employed by the state, to credits for payment of health
18 insurance premiums on behalf of the employee or the employee's surviving insured
19 dependents. Any supplemental compensation that is paid to a state employee who
20 is classified under the state classified civil service as a teacher, teacher supervisor,
21 or education director for the employee's completion of educational courses that have
22 been approved by the employee's employer is considered as part of the employee's
23 basic pay for purposes of this paragraph. The full premium for any eligible employee
24 who is insured at the time of retirement, or for the surviving insured dependents of
25 an eligible employee who is deceased, shall be deducted from the credits until the

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1 credits are exhausted and paid from the account under s. 40.04 (10), and then
2 deducted from annuity payments, if the annuity is sufficient. The department shall
3 provide for the direct payment of premiums by the insured to the insurer if the
4 premium to be withheld exceeds the annuity payment. Upon conversion of an
5 employee's unused sick leave to credits under this paragraph or par. (bf), the
6 employee or, if the employee is deceased, the employee's surviving insured
7 dependents may initiate deductions from those credits or may elect to delay
8 initiation of deductions from those credits, but only if the employee or surviving
9 insured dependents are covered by a comparable health insurance plan or policy
10 during the period beginning on the date of the conversion and ending on the date on
11 which the employee or surviving insured dependents later elect to initiate
12 deductions from those credits. If an employee or an employee's surviving insured
13 dependents elect to delay initiation of deductions from those credits, an employee or
14 the employee's surviving insured dependents may only later elect to initiate
15 deductions from those credits during the annual enrollment period under par. (be).
16 A health insurance plan or policy is considered comparable if it provides hospital and
17 medical benefits that are substantially equivalent to the standard health insurance
18 plan established under s. 40.52 (1).

19 ***-1698/3.3* SECTION 1012.** 40.05 (4) (bc) of the statutes is amended to read:

20 40.05 (4) (bc) The accumulated unused sick leave of an eligible employee under
21 s. 40.02 (25) (b) 6e. or 6g. shall be converted to credits for the payment of health
22 insurance premiums on behalf of the employee on the date on which the department
23 receives the employee's application for a retirement annuity or for lump sum
24 payment under s. 40.25 (1). The employee's unused sick leave shall be converted at
25 the eligible employee's highest basic pay rate ~~immediately prior to termination of all~~

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1 ~~creditable service~~ he or she received while employed by the state. The full premium
2 for the employee, or for the surviving insured dependents of the employee if the
3 employee later becomes deceased, shall be deducted from the credits until the credits
4 are exhausted and paid from the account under s. 40.04 (10), and then deducted from
5 annuity payments, if the annuity is sufficient. The department shall provide for the
6 direct payment of premiums by the insured to the insurer if the premium to be
7 withheld exceeds the annuity payment.

8 ***-1698/3.4* SECTION 1013.** 40.05 (4) (bf) of the statutes is amended to read:

9 40.05 (4) (bf) Any eligible employee who was granted credit under s. 230.35 (1)
10 (gm) for service as a national guard technician, who, on December 31, 1965, had
11 accumulated unused sick leave that was based on service performed in this state as
12 a national guard technician before January 1, 1966, and who is a participating
13 employee or terminated all creditable service after June 30, 1972, or, if the eligible
14 employee is deceased, the surviving insured dependents of the eligible employee,
15 may have that accumulated unused sick leave converted to credits for the payment
16 of health insurance premiums on behalf of the eligible employee or the surviving
17 insured dependents if, not later than November 30, 1996, the eligible employee or the
18 surviving insured dependents submit to the department, on a form provided by the
19 department, an application for the conversion. The application shall include
20 evidence satisfactory to the department to establish the applicant's rights under this
21 paragraph and the amount of the accumulated unused sick leave that is eligible for
22 the conversion. The accumulated unused sick leave shall be converted under this
23 paragraph, at the eligible employee's highest basic pay rate ~~immediately prior to~~
24 ~~termination of all creditable service~~ he or she received while employed by the state,
25 on the date of conversion specified in par. (b) or on the last day of the 2nd month

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1 beginning after the date on which the department receives the application under this
2 paragraph, whichever is later. Deductions from those credits, elections to delay
3 initiation of those deductions and premium payments shall be made as provided in
4 par. (b).

5 ***-1698/3.5* SECTION 1014.** 40.05 (4) (bm) of the statutes is amended to read:

6 40.05 (4) (bm) Except as provided under par. (bp), accumulated unused sick
7 leave under ss. 36.30 and 230.35 (2) or 233.10 of any eligible employee shall, upon
8 request of the employee at the time the employee is subject to layoff under s. 40.02
9 (40), be converted at the employee's ~~current~~ highest basic pay rate he or she received
10 while employed by the state to credits for payment of health insurance premiums on
11 behalf of the employee. Any supplemental compensation that is paid to a state
12 employee who is classified under the state classified civil service as a teacher, teacher
13 supervisor or education director for the employee's completion of educational courses
14 that have been approved by the employee's employer is considered as part of the
15 employee's basic pay for purposes of this paragraph. The full amount of the required
16 employee contribution for any eligible employee who is insured at the time of the
17 layoff shall be deducted from the credits until the credits are exhausted, the
18 employee is reemployed, or 5 years have elapsed from the date of layoff, whichever
19 occurs first.

20 ***-0576/8.59* SECTION 1015.** 40.05 (4g) (a) 4. of the statutes is amended to read:

21 40.05 (4g) (a) 4. Has received a military leave of absence under s. 230.32 (3) (a)
22 or 230.35 (3), under a collective bargaining agreement under subch. V of ch. 111 or
23 under rules promulgated by the ~~secretary of employment relations~~ director of the
24 office of state human resources management or is eligible for reemployment with the
25 state under s. 45.50 after completion of his or her service in the U.S. armed forces.

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

2 40.06 (1) (dm) Each determination by a department head regarding the
3 classification of a state employee as a protective occupation participant shall be
4 reviewed by the ~~department of employment relations~~ office of state human resources
5 management. A state employee's name may not be certified to the fund as a
6 protective occupation participant under par. (d) until the ~~department of employment~~
7 relations office of state human resources management ^{check-Δ} approves the determination.

8
9 *~~0912/2.9~~* SECTION 1019. 40.23 (2m) (em) 1. a. of the statutes is amended to
10 read:

11 40.23 (2m) (em) 1. a. Any creditable service forfeited by a participating
12 employee before January 1, 2000, and which is subsequently reestablished by the
13 participating employee under s. ~~40.25 (6)~~ 40.285 (2) (a), shall be considered to have
14 been performed before January 1, 2000.

15 *~~0912/2.10~~* SECTION 1020. 40.23 (2m) (em) 1. b. of the statutes is amended
16 to read:

17 40.23 (2m) (em) 1. b. Any creditable service received under s. ~~40.25 (7)~~ 40.285
18 (2) (b), which is based on service performed before January 1, 2000, shall be
19 considered to have been performed before January 1, 2000.

20 *~~0912/2.11~~* SECTION 1022. 40.25 (3) of the statutes is amended to read:

21 40.25 (3) Upon administrative approval of payment of an amount under either
22 sub. (1) or (2), the participant's account shall be closed and there shall be no further
23 right, interest or claim on the part of the former participant to any benefit from the
24 Wisconsin retirement system except as provided by ~~subs.~~ sub. (5) and ~~(6)~~ s. 40.285
25 (2) (a). Any former participant who is subsequently employed by any participating

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1 employer shall be treated as a new participating employee for all purposes of this
2 chapter. New accumulations of contributions and credits and the computation of any
3 future benefits shall bear no relationship to any accumulations and credits paid as
4 single sums under sub. (1) or (2).

5 *~~0912/2.12~~* SECTION 1023. 40.25 (6) of the statutes is repealed.

6 *~~0912/2.13~~* SECTION 1024. 40.25 (7) of the statutes is repealed.

7 *~~0912/2.14~~* SECTION 1025. 40.285 of the statutes is created to read:

8 **40.285 Purchase of creditable service. (1) GENERAL REQUIREMENTS. (a)**
9 *Deadline for purchase of creditable service.* An application to purchase creditable
10 service must be received by the department, on a form provided by the department,
11 from an applicant who is a participating employee on the day that the department
12 receives the application.

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

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

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

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

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

3 b. The number of years that may be purchased may not be greater than the
4 accumulated current creditable service of the participating employee at the date of
5 application, excluding all creditable service purchased under this section or s. 40.02
6 (17) (b), 1981, 1983, 1985, 1987, 1989, 1991, 1993, 1995, 1997, 1999, and 2001 stats.,
7 s. 40.02 (17) (e), 1987, 1989, 1991, 1993, 1995, 1997, 1999, and 2001 stats., s. 40.02
8 (17) (i), 1989, 1991, 1993, 1995, 1997, 1999, and 2001 stats., s. 40.02 (17) (k), 1989,
9 1991, 1993, 1995, 1997, 1999, and 2001 stats., s. 40.25 (6), 1981, 1983, 1985, 1987,
10 1989, 1991, 1993, 1995, 1997, 1999, and 2001 stats., s. or 40.25 (7), 1991, 1993, 1995,
11 1997, 1999, and 2001 stats., less the number of years of creditable service previously
12 purchased under this paragraph or s. 40.25 (6), 1981, 1983, 1985, 1987, 1989, 1991,
13 1993, 1995, 1997, 1999, and 2001 stats.

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

22 d. Upon receipt by the fund of the total payment required under this
23 subdivision, the creditable service meeting the conditions and requirements of this
24 paragraph shall be credited to the account of the participating employee making the
25 payment.

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

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

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

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

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

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

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

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

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1 stats., s. 40.02 (17) (i), 1989, 1991, 1993, 1995, 1997, 1999, and 2001 stats., s. 40.02
2 (17) (k), 1989, 1991, 1993, 1995, 1997, 1999, and 2001 stats., s. 40.25 (6), 1981, 1983,
3 1985, 1987, 1989, 1991, 1993, 1995, 1997, 1999, and 2001 stats., or s. 40.25 (7), 1991,
4 1993, 1995, 1997, 1999, and 2001 stats., less the number of years of creditable service
5 previously purchased under this paragraph or s. 40.25 (7), 1991, 1993, 1995, 1997,
6 1999, and 2001 stats.

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

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

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

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

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

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

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

8 (b) *Certification of plan-to-plan transfers.* Upon request, the department shall
9 provide a participating employee a transfer certification form for payments made by
10 a plan-to-plan transfer under sub. (5) (b). If the participating employee intends to
11 make payments from more than one plan, the participating employee must submit
12 to the department a separate transfer certification form for each plan from which
13 moneys will be transferred.

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

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

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

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1 (b) *Alternate payment options.* Notwithstanding par. (a), the department may
2 accept an application under this section without full payment if payment of at least
3 10% of the department's estimate of the cost of the creditable service is included with
4 the application, in the manner required under par. (a), and the remaining balance
5 is received by the department no later than 90 days after receipt of the application,
6 in the form of a plan-to-plan transfer under sub. (5) (b).

7 (c) *Final cost calculation for purchase of creditable service.* The department
8 may audit any transaction to purchase creditable service under this subsection and
9 make any necessary correction to the estimated cost of purchasing the creditable
10 service to reflect the amount due under sub. (2). Except as otherwise provided in sub.
11 (7), if the department determines that the final amount that is due is more than the
12 amount paid to the department, the department shall notify the participant of the
13 amount of the shortfall. If payment of the amount of the shortfall is not received by
14 the department within 30 calendar days after the date on which the department
15 sends notice to the participant, the department shall complete the creditable service
16 purchase transaction by prorating the amount of creditable service that is purchased
17 based on the payment amount actually received and shall notify the participant of
18 the amount and category of service that is credited. The department, by rule, shall
19 specify how a forfeited service purchase is prorated when the participant forfeited
20 service under more than one category of employment under s. 40.23 (2m) (e).

21 (d) *Treatment of amounts to purchase creditable service.* All amounts retained
22 by the department for the purchase of creditable service under sub. (2) shall be
23 credited and treated as employee required contributions for all purposes of the
24 Wisconsin retirement system, except that amounts received for the purchase of

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1 creditable service under sub. (2) (b) may not be used for the purpose of making
2 calculations under s. 40.23 (3) or 40.73 (1) (am).

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

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

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

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

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

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

19 (c) *Payment shortfall.* Except as otherwise provided in sub. (7), if the
20 department determines that the amount paid to the department to purchase
21 creditable service under this subsection, together with the amount transferred
22 under a plan-to-plan transfer, is less than the amount that is required to purchase
23 the creditable service, the department shall notify the participant of the amount of
24 the shortfall. If payment of the amount of the shortfall is not received by the
25 department within 30 calendar days after the date on which the department sends

SENATE BILL 44**SECTION 1025**

1 notice to the participant, the department shall complete the creditable service
2 purchase transaction by prorating the amount of creditable service that is purchased
3 based on the payment amount actually received and shall notify the participant of
4 the amount and category of service that is credited. The department, by rule, shall
5 specify how a forfeited service purchase is prorated when the participant forfeited
6 service under more than one category of employment under s. 40.23 (2m) (e).

7 (6) REFUNDS. Except as provided in sub. (7), if the department determines that
8 the amount paid to the department to purchase creditable service, including any
9 amount in a plan-to-plan transfer, is greater than the amount that is required to
10 purchase the creditable service, as determined by the department, the department
11 shall refund the difference. The department shall pay any refund to the participant,
12 up to the amount received from the participant. Any remaining amount shall be
13 returned to the applicable account in the trust fund for transfers under sub. (5) (a)
14 or to the trustee of a plan which was the source of a plan-to-plan transfer under sub.
15 (5) (b). When more than one plan-to-plan transfer occurs, the department may
16 determine which transfer is to be refunded, in whole or part. No funds transferred
17 to the department by a plan-to-plan transfer may be refunded to a participant.

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

22 *~~1757/4.3~~* SECTION 1026. 40.51 (6) of the statutes is amended to read:

23 40.51 (6) This state shall offer to all of its employees at least 2 insured or
24 uninsured health care coverage plans providing substantially equivalent hospital
25 and medical benefits, including a health maintenance organization or a preferred

SENATE BILL 44**SECTION 1026**

1 provider plan, if those health care plans are determined by the group insurance
2 board to be available in the area of the place of employment and are approved by the
3 group insurance board. The group insurance board shall place each of the plans into
4 one of 3 tiers established in accordance with standards adopted by the group
5 insurance board. The tiers shall be separated according to the employee's share of
6 premium costs.

7 *b0329/1.1* SECTION 1026r. 40.53 of the statutes is created to read:

8 **40.53 Pharmacy benefits purchasing pool.** (1) In this section:

9 (a) "Brand name" has the meaning given in s. 450.12 (1) (a).

10 (b) "Eligible party" means an employer, other than the state, or a person doing
11 business or operating an organization in this state, including a self-employed
12 individual.

13 (c) "Generic name" has the meaning given in s. 450.12 (1) (b).

14 (d) "Prescription drug" has the meaning given in s. 450.01 (20).

15 (2) Beginning on January 1, 2005, the group insurance board shall develop a
16 purchasing pool for pharmacy benefits that uses a preferred list of covered
17 prescription drugs. The pool shall consist of the state and any eligible party that
18 satisfies the conditions established under sub. (3) for joining the pool. The group
19 insurance board shall seek to develop the preferred list of covered prescription drugs
20 under an evidence-based analysis that first identifies the relative effectiveness of
21 prescription drugs within therapeutic classes for particular diseases and conditions
22 and next identifies the least costly prescription drugs, including prescription drugs
23 with generic names that are alternatives to prescription drugs with brand names,
24 among those found to be equally effective.

SENATE BILL 44**SECTION 1026r**

1 (3) The group insurance board shall propose conditions that an eligible party
2 must satisfy to join the purchasing pool established under sub. (2) and shall submit
3 the proposed conditions to the joint committee on finance. If the cochairpersons of
4 the committee do not notify the group insurance board within 14 working days after
5 the date of the group insurance board's submittal that the committee has scheduled
6 a meeting for the purpose of reviewing the proposed conditions, the conditions may
7 be implemented as proposed by the group insurance board. If, within 14 working
8 days after the date of the group insurance board's submittal, the cochairpersons of
9 the committee notify the group insurance board that the committee has scheduled
10 a meeting for the purpose of reviewing the proposed conditions, the conditions may
11 be implemented only upon approval of the committee.

12 ***b0390/1.2* SECTION 1026e.** 40.51 (10m) of the statutes is amended to read:

13 **40.51 (10m)** Any eligible employee, as defined in s. 40.02 (25) (b) 6e. and 6g.,
14 may become covered under any health care coverage plan offered under sub. (6),
15 without furnishing evidence of insurability, by submitting to the department, on a
16 form provided by the department and within 30 days after the date on which the
17 department receives the employee's application for a retirement annuity or for a
18 lump sum payment under s. 40.25 (1), an election to obtain the coverage, by obtaining
19 coverage subject to contractual waiting periods and by paying the cost of the required
20 premiums, as provided in s. 40.05 (4) (ad).

21 ***b0390/1.2* SECTION 1026m.** 40.95 (1) (a) (intro.) of the statutes is amended
22 to read:

23 **40.95 (1) (a) (intro.)** Subject to sub. (2), the department shall administer a
24 program that provides health insurance premium credits for the purchase of health
25 insurance for a retired employee, or the retired employee's surviving insured

SENATE BILL 44

SECTION 1026m

1 dependents, and for an eligible employee under s. 40.02 (25) (b) 6e., or the eligible
2 employee's surviving insured dependents, for the benefit of an eligible employee
3 whose compensation includes such health insurance premium credits and who
4 satisfies at least one of the following:

5 ***-1876/1.3* SECTION 1027.** 40.98 (2) (h) of the statutes is amended to read:

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

12 ***-1876/1.4* SECTION 1028.** 40.98 (6m) of the statutes is repealed.

13 ***-1281/2.2* SECTION 1030.** 43.24 (1) (c) of the statutes is amended to read:

14 43.24 (1) (c) Beginning in the fiscal year in which the total amount of state aid
15 appropriated for public library systems under s. 20.255 (3) (e) and (qm), as
16 determined by the department, equals at least 11.25% of the total operating
17 expenditures for public library services from local and county sources in the calendar
18 year ending in that fiscal year, the amount paid to each system shall be determined
19 by adding the result of each of the following calculations:

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

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

24 3. Divide the sum of the payments to the municipalities and counties in the
25 system under subch. I of ch. 79 for the current fiscal year, as reflected in the

SENATE BILL 44

SECTION 1030

1 statement of estimated payments under s. 79.015, by the total of all payments under
2 subch. I of ch. 79 for the current fiscal year, as reflected in the statement of estimated
3 payments under s. 79.015, and multiply the result by the product of the amount
4 appropriated under s. 20.255 (3) (e) and (qm) and 0.075.

5 ***-1281/2.3* SECTION 1031.** 43.24 (3) of the statutes is amended to read:

6 43.24 (3) Annually, the division shall review the reports and proposed service
7 plans submitted by the public library systems under s. 43.17 (5) for conformity with
8 this chapter and such rules and standards as are applicable. Upon approval, the
9 division shall certify to the department of administration an estimated amount to
10 which each system is entitled under this section. Annually on or before December
11 1 of the year immediately preceding the year for which aids are to be paid, the
12 department of administration shall pay each system 75% of the certified estimated
13 amount from the ~~appropriation~~ appropriations under s. 20.255 (3) (e) and (qm). The
14 division shall, on or before the following April 30, certify to the department of
15 administration the actual amount to which the system is entitled under this section.
16 On or before July 1, the department of administration shall pay each system the
17 difference between the amount paid on December 1 of the prior year and the certified
18 actual amount of aid to which the system is entitled from the ~~appropriation~~
19 appropriations under s. 20.255 (3) (e) and (qm). The division may reduce state aid
20 payments when any system or any participant thereof fails to meet the requirements
21 of sub. (2). Beginning September 1, 1991, the division may reduce state aid payments
22 to any system if the system or any participant in the system fails to meet the
23 requirements of s. 43.15 (4).

24 ***-1281/2.4* SECTION 1032.** 43.24 (3m) of the statutes is amended to read:

SENATE BILL 44**SECTION 1032**

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

4 *~~0529/4.94~~* **SECTION 1033.** 43.70 (3) of the statutes is amended to read:

5 43.70 (3) Immediately upon making such apportionment, the state
6 superintendent shall certify to the department of administration the estimated
7 amount that each school district is entitled to receive under this section and shall
8 notify each school district administrator of the estimated amount so certified for his
9 or her school district. The department of administration shall ~~issue its warrants~~
10 ~~upon which the state treasurer shall~~ distribute each school district's aid entitlement
11 in one payment on or before May 1. The amount paid to each school district shall be
12 based upon the amount in the appropriation account under s. 20.255 (2) (s) on April
13 15. All moneys distributed under this section shall be expended for the purchase of
14 instructional materials from the state historical society for use in teaching Wisconsin
15 history and for the purchase of library books and other instructional materials for
16 school libraries, but not for public library facilities operated by school districts under
17 s. 43.52, in accordance with rules promulgated by the state superintendent.
18 Appropriate records of such purchases shall be kept and necessary reports thereon
19 shall be made to the state superintendent.

20 *~~0666/9.40~~* **SECTION 1034.** Chapter 44 (title) of the statutes is amended to
21 read:

CHAPTER 44**HISTORICAL SOCIETIES, AND ARTS****BOARD ~~AND~~ TECHNOLOGY FOR**

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**EDUCATIONAL ACHIEVEMENT IN
WISCONSIN BOARD**

1
2
3 ***b0327/1.3* SECTION 1034s.** 44.53 (1) (fm) of the statutes is repealed.

4 ***b0327/1.3* SECTION 1034t.** 44.53 (2) (am) of the statutes is repealed.

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

7 ***b0306/4.32* SECTION 1036d.** 44.70 (intro.) of the statutes is renumbered
8 16.99 (intro.).

9 ***-0666/9.43* SECTION 1037.** 44.70 (1) of the statutes is repealed.

10
11 ***b0306/4.33* SECTION 1038d.** 44.70 (1d) of the statutes is renumbered 16.99
12 (1d).

13 ***b0306/4.33* SECTION 1039d.** 44.70 (1m) of the statutes is renumbered 16.99
14 (1m).

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

 ****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.

16 ***b0306/4.35* SECTION 1041d.** 44.70 (2g) of the statutes is renumbered 16.99
17 (2g) and amended to read:

18 16.99 (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.

23 ***b0306/4.35* SECTION 1042d.** 44.70 (3) of the statutes is renumbered 16.99 (3).

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SECTION 1043d

1 ***b0306/4.35* SECTION 1043d.** 44.70 (3d) of the statutes is renumbered 16.99
2 (3d).

3 ***b0306/4.35* SECTION 1044d.** 44.70 (3g) of the statutes is renumbered 16.99
4 (3g).

5 ***b0306/4.35* SECTION 1045d.** 44.70 (3j) of the statutes is renumbered 16.99
6 (3j).

7 ***b0306/4.35* SECTION 1046d.** 44.70 (3m) of the statutes is renumbered 16.99
8 (3m).

9 ***b0306/4.35* SECTION 1047d.** 44.70 (3r) of the statutes is renumbered 16.99
10 (3r).

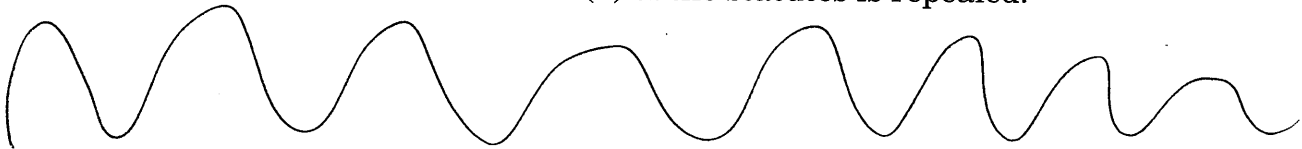
11 ***b0306/4.35* SECTION 1048d.** 44.70 (4) of the statutes is renumbered 16.99 (4).

12 ***b0306/4.35* SECTION 1049d.** 44.70 (5) of the statutes is renumbered 16.99 (5).

13 ***b0306/4.35* SECTION 1050d.** 44.70 (6) of the statutes is renumbered 16.99 (6).

14 ***-0666/9.57* SECTION 1051.** 44.71 (title) of the statutes is repealed.

15 ***-0666/9.58* SECTION 1052.** 44.71 (1) of the statutes is repealed.



16
17
18 ***b0306/4.38* SECTION 1053d.** 44.71 (2) (intro.) of the statutes is renumbered
19 16.993 (intro.) and amended to read:

20 **16.993 Duties Technology for educational achievement in Wisconsin;**
21 **departmental duties.** (intro.) The board department shall do all of the following:

22 ***b0306/4.38* SECTION 1054d.** 44.71 (2) (a) of the statutes is renumbered 16.993
23 (1) and amended to read:

24 16.993 (1) In cooperation with school districts, cooperative educational service
25 agencies, the technical college system board, and the board of regents of the

SENATE BILL 44

SECTION 1054d

1 University of Wisconsin System ~~and the department~~, promote the efficient,
2 cost-effective procurement, installation, and maintenance of educational technology
3 by school districts, cooperative educational service agencies, technical college
4 districts, and the University of Wisconsin System.

5 ***b0306/4.38* SECTION 1055d.** 44.71 (2) (b) of the statutes is renumbered
6 16.993 (2).

7 ***b0306/4.38* SECTION 1056d.** 44.71 (2) (c) of the statutes is renumbered
8 16.993 (3) and amended to read:

9 16.993 (3) ~~With the consent of the department, enter~~ Enter into cooperative
10 purchasing agreements under s. 16.73 (1) under which participating school districts
11 and cooperative educational service agencies may contract for their professional
12 employees to receive training concerning the effective use of educational technology.

13 ***b0306/4.38* SECTION 1057d.** 44.71 (2) (d) of the statutes is renumbered
14 16.993 (4) and amended to read:

15 16.993 (4) In cooperation with the board of regents of the University of
16 Wisconsin System, the technical college system board, ~~the department of public~~
17 ~~instruction~~ and other entities, support the development of courses for the instruction
18 of professional employees who are licensed by the state superintendent of public
19 instruction concerning the effective use of educational technology.

20 ***b0306/4.38* SECTION 1058d.** 44.71 (2) (e) of the statutes is renumbered
21 16.993 (5) and amended to read:

22 16.993 (5) ~~Subject to s. 44.73 (5), in cooperation with the department, provide~~
23 Provide telecommunications access to educational agencies under the program
24 established under s. 44.73 ~~16.997~~.

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SECTION 1059d

1 ***b0306/4.38* SECTION 1059d.** 44.71 (2) (f) of the statutes is renumbered 16.993
2 (6) and amended to read:

3 16.993 (6) No later than October 1 of each even-numbered year, submit a
4 biennial report concerning the board's department's activities under this subchapter
5 to the governor, and to the appropriate standing committees of the legislature under
6 s. 13.172 (3).

7
8 ***b0306/4.38* SECTION 1060d.** 44.71 (2) (g) of the statutes is renumbered
9 16.993 (7) and amended to read:

10 16.993 (7) ~~Coordinate the purchasing of~~ Purchase educational technology
11 materials, supplies, equipment, and contractual services for school districts,
12 cooperative educational service agencies, technical college districts, and the board
13 of regents of the University of Wisconsin System ~~by the department~~ under s. 16.72
14 (8), and, ~~in cooperation with the department and subject to the approval of the~~
15 ~~department of electronic government,~~ establish standards and specifications for
16 purchases of educational technology hardware and software by school districts,
17 cooperative educational service agencies, technical college districts, and the board
18 of regents of the University of Wisconsin System.

19 ***b0306/4.38* SECTION 1061d.** 44.71 (2) (h) of the statutes is renumbered
20 16.993 (8) and amended to read:

21 16.993 (8) ~~With the approval of the department of electronic government,~~
22 ~~purchase~~ Purchase educational technology equipment for use by school districts,
23 cooperative educational service agencies, and public educational institutions in this
24 state and permit the districts, agencies, and institutions to purchase or lease the
25 equipment, with an option to purchase the equipment at a later date. This paragraph

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1 subsection does not require the purchase or lease of any educational technology
2 equipment from the ~~board~~ department.

3 *b0306/4.38* SECTION 1062d. 44.71 (2) (i) of the statutes is renumbered 16.993
4 (9).

5 *-0666/9.69* SECTION 1063. 44.71 (3) of the statutes is repealed.

6 *-0666/9.70* SECTION 1064. 44.72 (title) of the statutes is repealed.

7 *-0666/9.71* SECTION 1065. 44.72 (1) of the statutes is repealed.

8 *-0666/9.72* SECTION 1066. 44.72 (2) of the statutes is repealed.

9 *-0666/9.73* SECTION 1067. 44.72 (3) of the statutes is repealed.

10
11
12 *b0306/4.42* SECTION 1068d. 44.72 (4) (title) of the statutes is renumbered
13 16.995 (title).

14 *b0306/4.42* SECTION 1069d. 44.72 (4) (a) of the statutes is renumbered
15 16.995 (1) and amended to read:

16 16.995 (1) FINANCIAL ASSISTANCE AUTHORIZED. The ~~board~~ department may
17 provide financial assistance under this ~~subsection~~ section to school districts and
18 ~~charter school sponsors~~ from the proceeds of public debt contracted under s. 20.866
19 (2) (zc) and to public library boards from the proceeds of public debt contracted under
20 s. 20.866 (2) (zcm). Financial assistance under this ~~subsection~~ section may be used
21 only for the purpose of upgrading the electrical wiring of school and library buildings
22 in existence on October 14, 1997, and installing and upgrading computer network
23 wiring. The department may not provide any financial assistance under this section
24 after the effective date of this subsection [revisor inserts date].

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SECTION 1070d

1 ***b0306/4.42* SECTION 1070d.** 44.72 (4) (b) of the statutes is renumbered
2 16.995 (2) and amended to read:

3 16.995 (2) FINANCIAL ASSISTANCE APPLICATIONS, TERMS, AND CONDITIONS. The
4 board department shall establish application procedures for, and the terms and
5 conditions of, financial assistance under this subsection, ~~including a condition~~
6 ~~requiring a charter school sponsor to use financial assistance under this subsection~~
7 ~~for wiring upgrading and installation that benefits pupils attending the charter~~
8 ~~school~~ section. The board department shall make a loan to a school district, ~~charter~~
9 ~~school sponsor, or public library board, or to a municipality on behalf of a public~~
10 library board, in an amount equal to 50% of the total amount of financial assistance
11 for which the board department determines the school district or public library board
12 is eligible and provide a grant to the school district or public library board for the
13 remainder of the total. The terms and conditions of any financial assistance under
14 this ~~subsection~~ section may include the provision of professional building
15 construction services under s. 16.85 (15). The board department shall determine the
16 interest rate on loans under this ~~subsection~~ section. The interest rate shall be as low
17 as possible but shall be sufficient to fully pay all interest expenses incurred by the
18 state in making the loans and to provide reserves that are reasonably expected to be
19 required in the judgment of the board department to ensure against losses arising
20 from delinquency and default in the repayment of the loans. The term of a loan under
21 this ~~subsection~~ section may not exceed 10 years.

22 ***b0306/4.42* SECTION 1071d.** 44.72 (4) (c) of the statutes is renumbered
23 16.995 (3) and amended to read:

24 16.995 (3) REPAYMENT OF LOANS. The board department shall credit all moneys
25 received from school districts ~~and charter school sponsors~~ for repayment of loans

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1 under this ~~subsection~~ section to the appropriation account under s. ~~20.275 (1) (h)~~
2 20.505 (4) (ha). The ~~board~~ department shall credit all moneys received from public
3 library boards or from municipalities on behalf of public library boards for
4 repayment of loans under this ~~subsection~~ section to the appropriation account under
5 s. ~~20.275 (1)~~ 20.505 (4) (hb).

6 *b0306/4.42* SECTION 1072d. 44.72 (4) (d) of the statutes is renumbered
7 16.995 (4) and amended to read:

8 16.995 (4) FUNDING FOR FINANCIAL ASSISTANCE. The ~~board, with the approval of~~
9 ~~the governor and~~ department, subject to the limits of s. 20.866 (2) (zc) and (zcm), may
10 request that the building commission contract public debt in accordance with ch. 18
11 to fund financial assistance under this ~~subsection~~ section.

12 *b0306/4.42* SECTION 1073d. 44.73 (title) of the statutes is renumbered
13 16.997 (title).

14 *b0306/4.42* SECTION 1074d. 44.73 (1) of the statutes is renumbered 16.997
15 (1) and amended to read:

16 16.997 (1) Except as provided in s. 196.218 (4t), the ~~board, in consultation with~~
17 ~~the department and subject to the approval of the department of electronic~~
18 ~~government,~~ department shall promulgate rules establishing an educational
19 telecommunications access program to provide educational agencies with access to
20 data lines and video links.

21 *b0306/4.42* SECTION 1075d. 44.73 (2) (intro.) of the statutes is renumbered
22 16.997 (2) (intro.).

23 *b0306/4.42* SECTION 1076d. 44.73 (2) (a) of the statutes is renumbered
24 16.997 (2) (a) and amended to read:

SENATE BILL 44**SECTION 1076d**

1 16.997 (2) (a) Allow an educational agency to make a request to the board
2 department for access to either one data line or one video link, except that any
3 educational agency may request access to additional data lines if the agency shows
4 to the satisfaction of the board department that the additional data lines are more
5 cost-effective than a single data line and except that a school district that operates
6 more than one high school or a public library board that operates more than one
7 library facility may request access to both a data line and a video link and access to
8 more than one data line or video link.

9 ***b0306/4.42* SECTION 1077d.** 44.73 (2) (b) of the statutes is renumbered
10 16.997 (2) (b).

11 ***b0306/4.42* SECTION 1078d.** 44.73 (2) (c) of the statutes is renumbered
12 16.997 (2) (c).

13 ***b0306/4.42* SECTION 1079d.** 44.73 (2) (d) of the statutes is renumbered
14 16.997 (2) (d).

15 ***b0306/4.42* SECTION 1080d.** 44.73 (2) (e) of the statutes is renumbered
16 16.997 (2) (e).

17 ***b0306/4.42* SECTION 1081d.** 44.73 (2) (f) of the statutes is renumbered 16.997
18 (2) (f).

19 ***b0306/4.42* SECTION 1082d.** 44.73 (2g) of the statutes is renumbered 16.997
20 (2g).

21 ***b0306/4.42* SECTION 1083d.** 44.73 (2r) of the statutes is renumbered 116.997
22 (2r), and 16.997 (2r) (c), as renumbered, is amended to read:

23 16.997 (2r) (c) A public library board shall provide the ~~technology for~~
24 ~~educational achievement in Wisconsin~~ board department with written notice within
25 30 days after entering into or modifying a shared service agreement under par. (a).

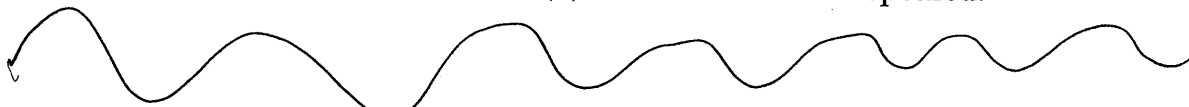
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1 ***b0306/4.42* SECTION 1084d.** 44.73 (3) of the statutes is renumbered 16.997
2 (3) and amended to read:

3 16.997 (3) The ~~board shall submit an annual report to the department~~ shall
4 prepare an annual report on the status of providing data lines and video links that
5 are requested under sub. (2) (a) and the impact on the universal service fund of any
6 payment under contracts under s. 16.974.

7 ***b0306/4.42* SECTION 1085d.** 44.73 (4) of the statutes is renumbered 16.997
8 (4).

9 ***-0666/9.92* SECTION 1086.** 44.73 (5) of the statutes is repealed.

10 
11 ***b0306/4.43* SECTION 1087d.** 44.73 (6) (a) of the statutes is renumbered
12 16.997 (6) (a) and amended to read:

13 16.997 (6) (a) From the appropriation under s. ~~20.275 (1)~~ 20.505 (4) (s) or (tm),
14 the ~~board~~ department may award an annual grant to a school district or private
15 school that had in effect on October 14, 1997, a contract for access to a data line or
16 video link, as documented by the ~~board~~ department. The ~~board~~ department shall
17 determine the amount of the grant, which shall be equal to the cost incurred by the
18 state to provide telecommunications access to a school district or private school
19 under a contract entered into under s. 16.974 (1) or (3) less the amount that the school
20 district or private school would be paying under sub. (2) (d) if the school district or
21 private school were participating in the program established under sub. (1), except
22 that the amount may not be greater than the cost that a school district or private
23 school incurs under the contract in effect on October 14, 1997. A school district or
24 private school receiving a grant under this subsection is not eligible to participate in

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1 the program under sub. (1). No grant may be awarded under this subsection after
2 December 31, 2005.

3 ***b0306/4.43* SECTION 1088d.** 44.73 (6) (b) of the statutes is renumbered
4 16.997 (6) (b) and amended to read:

5 16.997 (6) (b) Notwithstanding par. (a), the ~~board~~ department may award a
6 school district that operates more than one high school and that had in effect on
7 October 14, 1997, a contract for access to more than one data line or video link an
8 annual grant for each data line or video link serving each high school covered by that
9 contract.

10 ***b0153/3.2* SECTION 1088m.** 45.25 (title) of the statutes is amended to read:
11 **45.25 (title) Veterans' tuition and fee reimbursement program.**

12 ***b0153/3.2* SECTION 1088p.** 45.25 (1) of the statutes is renumbered 45.25 (1m)
13 and amended to read:

14 45.25 (1m) ADMINISTRATION. The department shall administer a tuition and fee
15 reimbursement program for eligible veterans enrolling as undergraduates in any
16 institution of higher education, as defined in s. 45.396 (1) (a), in this state, enrolling
17 in a school that is approved under s. 45.35 (9m), enrolling in a proprietary school that
18 is approved under s. 45.54, or receiving a waiver of nonresident tuition under s.
19 39.47.

20 ***b0153/3.2* SECTION 1088r.** 45.25 (1g) of the statutes is created to read:

21 45.25 (1g) DEFINITION. In this section, "tuition," when referring to the
22 University of Wisconsin System, means "academic fees," as described in s. 36.27 (1),
23 and when referring to the technical colleges, means "program fees," as described in
24 s. 38.24 (1m) (a) and (b).

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SECTION 1088t

1 ***b0153/3.2* SECTION 1088t.** 45.25 (2) (intro.) of the statutes is amended to
2 read:

3 45.25 (2) ELIGIBILITY. (intro.) An individual is eligible for the tuition and fee
4 reimbursement program if he or she meets all of the following criteria:

5 ***-1780/1.1* SECTION 1089.** 45.25 (2) (c) of the statutes is amended to read:

6 45.25 (2) (c) The individual applies for the tuition and fee reimbursement
7 program for courses ~~completed~~ begun within 10 years after separation from the
8 service.

9 ***b0153/3.4* SECTION 1089c.** 45.25 (2) (d) of the statutes is amended to read:

10 45.25 (2) (d) The individual is a resident at the time of application for the
11 tuition and fee reimbursement program and was a Wisconsin resident at the time of
12 entry or reentry into service or was a resident for any consecutive 12-month period
13 after entry or reentry into service and before the date of his or her application. If a
14 person applying for a benefit under this section meets the residency requirement of
15 12 consecutive months, the department may not require the person to reestablish
16 that he or she meets that residency requirement when he or she later applies for any
17 other benefit under this chapter that requires that residency.

18 ***b0153/3.4* SECTION 1089e.** 45.25 (3) (a) of the statutes is amended to read:

19 45.25 (3) (a) Except as provided in par. (am), an individual who meets the
20 requirements under sub. (2), upon satisfactory completion of a full-time
21 undergraduate semester in any institution of higher education, as defined in s.
22 45.396 (1) (a), in this state, any school that is approved under s. 45.35 (9m), any
23 proprietary school that is approved under s. 45.54, or any institution from which the
24 individual receives a waiver of nonresident tuition under s. 39.47, may be
25 reimbursed an amount not to exceed the total cost of the individual's tuition and fees

SENATE BILL 44**SECTION 1089e**

1 minus any grants or scholarships, including those made under s. 21.49, that the
2 individual receives specifically for the payment of the tuition ~~or fees~~, or 85% of the
3 standard cost of tuition for a state resident for an equivalent undergraduate ~~course~~
4 semester at the University of Wisconsin–Madison ~~per course~~, whichever is less.
5 Reimbursement is available only for tuition ~~and fees~~ that ~~are~~ is part of a curriculum
6 that is relevant to a degree in a particular course of study at the institution.

7 ***b0153/3.4* SECTION 1089g.** 45.25 (3) (am) of the statutes is repealed and
8 recreated to read:

9 45.25 (3) (am) Any individual who is eligible to receive reimbursement under
10 par. (a) and received reimbursement under par. (a) or s. 45.25 (3) (am), 2001 stats.,
11 before the effective date of this paragraph [revisor inserts date], shall be
12 reimbursed an amount not to exceed the amount determined under par. (a) or the
13 amount determined under s. 45.25 (3) (a) or (am), 2001 stats., whichever is greater.

14 ***b0153/3.4* SECTION 1089j.** 45.25 (3) (b) (intro.) of the statutes is amended to
15 read:

16 45.25 (3) (b) (intro.) An application for reimbursement of tuition ~~and fees~~ under
17 par. (a) ~~or (am)~~ shall meet all of the following requirements:

18 ***b0319/2.4* SECTION 1089m.** 45.35 (14) (h) of the statutes is amended to read:

19 45.35 (14) (h) To provide grants to the governing bodies of federally recognized
20 American Indian tribes and bands from the appropriation under s. 20.485 (2) ~~(km)~~
21 (vz) if that governing body enters into an agreement with the department regarding
22 the creation, goals and objectives of a tribal veterans' service officer, appoints a
23 veteran to act as a tribal veterans' service officer and gives that veteran duties
24 similar to the duties described in s. 45.43 (5), except that the veteran shall report to
25 the governing body of the tribe or band. The department may make annual grants

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1 of up to \$2,500 under this paragraph and shall promulgate rules to implement this
2 paragraph.

3 ***-0324/1.2* SECTION 1090.** 45.365 (7) of the statutes is created to read:

4 45.365 (7) The department may develop a program to provide stipends to
5 individuals to attend school and receive the necessary credentials to become
6 employed at the home or the southeastern facility. If the department does develop
7 a stipend program under this subsection, the department shall promulgate
8 administrative rules related to the program, including the application process,
9 eligibility criteria, stipend amount, repayment provisions, and other provisions that
10 the department determines are necessary to administer the program.

11 ***-0529/4.95* SECTION 1091.** 45.37 (11) of the statutes is amended to read:

12 45.37 (11) DISPOSITION OF PROPERTY DESCENDING TO STATE. If a member dies
13 without a relative that is entitled to an interest in the property of the member under
14 the rules of intestate succession and without leaving a will the existence of which is
15 made known to the commandant of the home within 60 days of the member's death,
16 the member's property shall be converted to cash and turned over by the
17 commandant of the home to the ~~state treasurer~~ secretary of administration to be paid
18 into the appropriation under s. 20.485 (1) (h), without administration. The amount
19 is subject to refund within 6 years to the estate of a veteran if it is subsequently
20 discovered that the veteran left a will or a relative that is entitled to an interest in
21 the property of the member under the rules of intestate succession or to any creditor
22 of the veteran who establishes right to the fund or property or any portion thereof.
23 The department, upon being satisfied that a claim out of such funds or property is
24 legal and valid, shall pay the same out of such funds or property, except that payment
25 of claims for a member's funeral and burial expenses may not exceed a total of \$1,500

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SECTION 1091

1 including any amount allowed by the United States for the member's funeral and
2 burial and the right for burial and interment provided in sub. (15) (a).

3 ***-0190/7.4* SECTION 1092.** 45.37 (15) (c) of the statutes is amended to read:

4 45.37 (15) (c) Expenses incident to the burial at the home of a member shall
5 be paid from the estate of the decedent, except that if there is no estate or the estate
6 is insufficient, the expense of burial, or necessary part thereof, shall be paid from the
7 appropriation under s. 20.485 (1) (gk) and the amount expended therefor shall not
8 exceed the amount established for funeral and burial expenses under s. ~~49.30~~ 49.785
9 (1) (b).

10 ***b0153/3.5* SECTION 1092g.** 45.396 (1) (c) of the statutes is created to read:

11 45.396 (1) (c) "Tuition" has the meaning given in s. 45.25 (1g).

12 ***b0153/3.5* SECTION 1092m.** 45.396 (4) of the statutes is amended to read:

13 45.396 (4) Enrolled part-time classroom study or direct correspondence
14 courses from a qualified educational institution may be authorized and the veteran
15 reimbursed in part by the department when such courses are related to one's
16 occupational, professional or employment objectives, and to the extent that payment
17 or reimbursement is not available from any other sources, or, in cases where
18 reimbursement is not specifically for fees and tuition, to the extent that such
19 reimbursement is insufficient to cover all educational costs.

20 ***b0153/3.5* SECTION 1092p.** 45.396 (5) of the statutes is renumbered 45.396

21 (5) (a) and amended to read:

22 45.396 (5) (a) Except as provided in sub. ~~(9)~~ par. (b), the amount of the
23 reimbursement may not exceed ~~85%~~ of the total cost of the individual's tuition and
24 fees or ~~85%~~ of the standard cost for a state resident for tuition and fees for an
25 equivalent undergraduate course at the University of Wisconsin-Madison per

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1 course, whichever is less, and may not be provided to an individual more than 4 times
2 during any consecutive 12-month period.

3 ***b0153/3.5* SECTION 1092q.** 45.396 (5) (b) of the statutes is created to read:

4 45.396 (5) (b) Any individual who is eligible to receive reimbursement under
5 par. (a) and received reimbursement under par. (a) before the effective date of this
6 paragraph [revisor inserts date], shall be reimbursed an amount not to exceed the
7 amount determined under par. (a) or the amount determined under s. 45.396 (5) (a),
8 2001 stats., whichever is greater.

9 ***b0153/3.5* SECTION 1092r.** 45.396 (9) of the statutes is repealed.

10 ***-0576/8.61* SECTION 1093.** 45.43 (7) (b) of the statutes is amended to read:

11 45.43 (7) (b) The department shall award a grant annually to a county that
12 meets the standards developed under this subsection and employs a county veterans'
13 service officer who, if chosen after August 9, 1989, is chosen from a list of candidates
14 who have taken a civil service examination for the position of county veterans' service
15 officer developed and administered by the division of merit recruitment and selection
16 in the ~~department of employment relations~~ office of state human resources
17 management /, or is appointed under a civil service competitive examination
18 procedure under ch. 63 or s. 59.52 (8). The grant shall be \$8,500 for a county with
19 a population of less than 20,000, \$10,000 for a county with a population of 20,000 to
20 45,499, \$11,500 for a county with a population of 45,500 to 74,999, and \$13,000 for
21 a county with a population of 75,000 or more. The department shall use the most
22 recent Wisconsin official population estimates prepared by the demographic services
23 center when making grants under this paragraph.

24 ***-0344/1.2* SECTION 1094.** 45.54 (10) (a) of the statutes is amended to read:

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SECTION 1094

1 45.54 (10) (a) *Authority*. All proprietary schools shall be examined and
2 approved by the board before operating in this state. Approval shall be granted to
3 schools meeting the criteria established by the board for a period not to exceed one
4 year. No school may advertise in this state unless approved by the board. All
5 approved schools shall submit quarterly reports, including information on
6 enrollment, number of teachers and their qualifications, course offerings, number of
7 graduates, number of graduates successfully employed, and such other information
8 as the board deems necessary. If a school closure results in losses to students,
9 parents, or sponsors, the board may authorize the full or partial payment of those
10 losses from the appropriation under s. 20.485 (5) (gm).

11 *~~0344/1.3~~* SECTION 1095. 45.54 (10) (c) 4. of the statutes is created to read:


12 45.54 (10) (c) 4. Specify a student protection fee.

13 *b0154/1.1* SECTION 1095m. 45.54 (10) (cm) of the statutes is created to read:

14 45.54 (10) (cm) *Limit on student protection fee*. The board shall discontinue
15 collecting annual student protection fees under par. (c) 4. during the period that the
16 balance in the fund created by those fees exceeds \$1,000,000.

17 *~~0115/1.1~~* SECTION 1096. 46.03 (7) (h) of the statutes is created to read:

18 46.03 (7) (h) Contract for the provision of a centralized unit for determining
19 whether the cost of providing care for a child is eligible for reimbursement under 42
20 USC 670 to 679a.

21 
22 *b0202/1.2* SECTION 1098d. 46.057 (2) of the statutes is amended to read:

23 46.057 (2) From the appropriation account under s. 20.410 (3) (ba), the
24 department of corrections shall transfer to the appropriation account under s. 20.435
25 (2) (kx) \$1,379,300 in fiscal year ~~2001-02~~ 2003-04 and \$1,379,300 in fiscal year

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SECTION 1098d

1 ~~2002-03~~ 2004-05 and, from the appropriation account under s. 20.410 (3) (hm), the
2 department of corrections shall transfer to the appropriation account under s. 20.435
3 (2) (kx) ~~\$2,489,300 in fiscal year 1999-2000 and \$2,489,900 in fiscal year 2000-01~~
4 \$2,086,700 in fiscal year 2003-04 and \$2,155,600 in fiscal year 2004-05 for services
5 for juveniles placed at the Mendota juvenile treatment center. The department of
6 health and family services may charge the department of corrections not more than
7 the actual cost of providing those services.

8
9 ***b0285/3.3*** SECTION 1100g. 46.10 (16) of the statutes is amended to read:

10 46.10 (16) The department shall delegate to county departments under ss.
11 51.42 and 51.437 or the local providers of care and services meeting the standards
12 established by the department under s. 46.036, the responsibilities vested in the
13 department under this section for collection of patient fees for services other than
14 those provided at state facilities or those provided to children that are reimbursed
15 under a waiver under s. 46.27 (11), 46.275, or 46.278 or a waiver requested under
16 2001 Wisconsin Act 16, section 9123 (16rs), or 2003 Wisconsin Act (this act),
17 section 9124 (8c), if such the county departments or providers meet the conditions
18 deemed that the department determines are appropriate by the department. The
19 department may delegate to county departments under ss. 51.42 and 51.437 the
20 responsibilities vested in the department under this section for collection of patient
21 fees for services provided at the state facilities if the necessary conditions are met.

22 ***-1634/7.42*** SECTION 1101. 46.215 (1) (n) of the statutes is amended to read:

23 46.215 (1) (n) To collect and transmit information to the department of
24 administration so that a federal energy assistance payment may be made to an
25 eligible household; to collect and transmit information to the department of

SENATE BILL 44**SECTION 1101**

1 administration so that weatherization services may be made available to an eligible
2 household; to receive applications from individuals seeking low-income energy
3 assistance under s. ~~16.385~~ 16.27 (4) or weatherization services under s. ~~16.39~~ 16.26;
4 to provide information on the income eligibility for weatherization of a recipient of
5 low-income energy assistance to an entity with which the department of
6 administration contracts for provision of weatherization under s. ~~16.39~~ 16.26; and
7 to receive a request, determine a correct payment amount, if any, and provide
8 payment, if any, for emergency assistance under s. ~~16.385~~ 16.27 (8).

9 ***-1634/7.43* SECTION 1102.** 46.22 (1) (b) 4m. c. of the statutes is amended to
10 read:

11 46.22 (1) (b) 4m. c. To receive applications from individuals seeking low-income
12 energy assistance under s. ~~16.385~~ 16.27 (4) or weatherization services under s. ~~16.39~~
13 16.26.

14 ***-1634/7.44* SECTION 1103.** 46.22 (1) (b) 4m. d. of the statutes is amended to
15 read:

16 46.22 (1) (b) 4m. d. To provide information on the income eligibility for
17 weatherization of a recipient of low-income energy assistance to an entity with
18 which the department of administration contracts for provision of weatherization
19 under s. ~~16.39~~ 16.26.

20 ***-1634/7.45* SECTION 1104.** 46.22 (1) (b) 4m. e. of the statutes is amended to
21 read:

22 46.22 (1) (b) 4m. e. To receive a request, determine a correct payment amount,
23 if any, and provide payment, if any, for emergency assistance under s. ~~16.385~~ 16.27
24 (8).

SENATE BILL 44**SECTION 1104m**

1 ***b0165/3.2* SECTION 1104m.** 46.22 (1) (c) 8. f. of the statutes is amended to
2 read:

3 46.22 (1) (c) 8. f. Before July 1, 2005, the county department of social services
4 shall implement the statewide automated child welfare information system
5 established by the department under s. 46.03 (7) (g). After that system has been
6 implemented in a county, the department shall require that county to support 50%
7 of the nonfederal portion of the ongoing cost of that system. All moneys received by
8 the department under this subd. 8. f. shall be credited to the appropriation account
9 under s. 20.435 (3) (j).

10 ***-0190/7.5* SECTION 1105.** 46.22 (1) (d) of the statutes is amended to read:

11 46.22 (1) (d) *Merit system; records.* The county department of social services
12 is subject to s. ~~49.33~~ 49.78 (4) to (7). The county department of social services and
13 all county officers and employees performing any duties in connection with the
14 administration of aid to families with dependent children shall observe all rules
15 promulgated by the department of workforce development under s. ~~49.33~~ 49.78 (4)
16 and shall keep records and furnish reports as the department of workforce
17 development requires in relation to their performance of such duties.

18 ***-0190/7.6* SECTION 1106.** 46.22 (2) (b) of the statutes is amended to read:

19 46.22 (2) (b) Appoint the county social services director under sub. (3) subject
20 to s. ~~49.33~~ 49.78 (4) to (7) and the rules promulgated thereunder and subject to the
21 approval of the county board of supervisors in a county with a single-county
22 department of social services or the county boards of supervisors in counties with a
23 multicounty department of social services.

24 ***-0190/7.7* SECTION 1107.** 46.22 (3m) (a) of the statutes is amended to read:

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1 46.22 (3m) (a) In any county with a county executive or a county administrator
2 which ~~that~~ has established a single-county department of social services, the county
3 executive or county administrator, subject to s. ~~49.33~~ 49.78 (4) to (7) and the rules
4 promulgated thereunder, shall appoint and supervise the county social services
5 director. The appointment is subject to the confirmation of the county board of
6 supervisors unless the county board of supervisors, by ordinance, elects to waive
7 confirmation or unless the appointment is made under a civil service system
8 competitive examination procedure established under s. 59.52 (8) or ch. 63.

9 *~~0190/7.8~~* **SECTION 1108.** 46.27 (7) (am) of the statutes is amended to read:

10 46.27 (7) (am) From the appropriation under s. 20.435 (7) (bd), the department
11 shall allocate funds to each county or private nonprofit agency with which the
12 department contracts to pay assessment and case plan costs under sub. (6) not
13 otherwise paid by fee or under s. ~~49.33(2)~~ ~~or 49.45~~ or 49.78 (2). The department shall
14 reimburse counties for the cost of assessing persons eligible for medical assistance
15 under s. 49.46, 49.468, or 49.47 as part of the administrative services of medical
16 assistance, payable under s. 49.45 (3) (a). Counties may use unspent funds allocated
17 under this paragraph to pay the cost of long-term community support services and
18 for a risk reserve under par. (fr).

 ****NOTE: The repeal of s. 49.175 (1) (j) is removed from this draft. That section is
 also repealed in LRB-1752.

19 *~~0092/P1.1~~* **SECTION 1109.** 46.27 (7) (fm) of the statutes is amended to read:

20 46.27 (7) (fm) The department shall, at the request of a county, carry forward
21 up to ~~10%~~ 5% of the amount allocated under this subsection to the county for a
22 calendar year if up to ~~10%~~ 5% of the amount so allocated has not been spent or
23 encumbered by the county by December 31 of that year, for use by the county in the

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SECTION 1109

1 following calendar year, except that the amount carried forward shall be reduced by
2 the amount of funds that the county has notified the department that the county
3 wishes to place in a risk reserve under par. (fr). The department may transfer funds
4 within s. 20.435 (7) (bd) to accomplish this purpose. An allocation under this
5 paragraph does not affect a county's base allocation under this subsection and shall
6 lapse to the general fund unless expended within the calendar year to which the
7 funds are carried forward. A county may not expend funds carried forward under
8 this paragraph for administrative or staff costs, except administrative or staff costs
9 that are associated with implementation of the waiver under sub. (11) and approved
10 by the department.

11 ***-1760/2.2* SECTION 1111.** 46.27 (9) (a) of the statutes is amended to read:

12 46.27 (9) (a) The department may select up to 5 counties that volunteer to
13 participate in a pilot project under which they will receive certain funds allocated for
14 long-term care. The department shall allocate a level of funds to these counties
15 equal to the amount that would otherwise be paid under s. 20.435 (4) (b), (gp), or (w)
16 to nursing homes for providing care because of increased utilization of nursing home
17 services, as estimated by the department. In estimating these levels, the department
18 shall exclude any increased utilization of services provided by state centers for the
19 developmentally disabled. The department shall calculate these amounts on a
20 calendar year basis under sub. (10).

***NOTE: This is reconciled s. 46.27 (9) (a). This SECTION has been affected by drafts
with the following LRB numbers: LRB-1755/P2 and LRB-1760/1.

21 ***-1760/2.3* SECTION 1112.** 46.27 (10) (a) 1. of the statutes is amended to read:

22 46.27 (10) (a) 1. The department shall determine for each county participating
23 in the pilot project under sub. (9) a funding level of state medical assistance

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SECTION 1112

1 expenditures to be received by the county. This level shall equal the amount that the
2 department determines would otherwise be paid under s. 20.435 (4) (b), (gp), or (w)
3 because of increased utilization of nursing home services, as estimated by the
4 department.

****NOTE: This is reconciled s. 46.27 (10) (a) 1. This SECTION has been affected by
drafts with the following LRB numbers: LRB-1755/P2 and LRB-1760/1.

5 ***-0194/9.8* SECTION 1113.** 46.275 (5) (a) of the statutes is amended to read:
6 46.275 (5) (a) ~~Medical assistance~~ Assistance reimbursement for services a
7 county, or the department under sub. (3r), provides under this program is available
8 from the ~~appropriations~~ appropriation accounts under s. 20.435 (4) (b), (gp), (hm), (o),
9 and (w). If 2 or more counties jointly contract to provide services under this program
10 and the department approves the contract, ~~medical assistance~~ Medical Assistance
11 reimbursement is also available for services provided jointly by these counties.

****NOTE: This is reconciled s. 46.275 (5) (a). This SECTION has been affected by
drafts with the following LRB numbers: -0194/8, -1755/P2, and -1760/1.

12 ***-0194/9.9* SECTION 1114.** 46.275 (5) (c) of the statutes is amended to read:
13 13 46.275 (5) (c) The total allocation under s. 20.435 (4) (b), (gp), (hm), (o), and
14 (w) to counties and to the department under sub. (3r) for services provided under this
15 section may not exceed the amount approved by the federal department of health and
16 human services. A county may use funds received under this section only to provide
17 services to persons who meet the requirements under sub. (4) and may not use
18 unexpended funds received under this section to serve other developmentally
19 disabled persons residing in the county.

****NOTE: This is reconciled s. 46.275 (5) (c). This SECTION has been affected by
drafts with the following LRB numbers: -0194/8, -1755/P2, and -1760/1.

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F

20 ***-0211/5.2* SECTION 1115.** 46.275 (5) (e) of the statutes is created to read:

G