

1 **SECTION 1741.** 93.55 (2) of the statutes is amended to read:

2 **93.55 (2) COLLECTION GRANTS.** The department may award a grant to a county
3 for a chemical and container collection program. A grant under this subsection shall
4 fund all or a part of the cost of a program. Costs eligible for funding include the cost
5 of establishing a collection site for chemicals and chemical containers, the cost of
6 transporting chemical containers to a dealer or distributor for refill and reuse or to
7 a hazardous waste facility, as defined in s. 291.01 (8), and costs associated with the
8 proper use and handling and disposal or recycling of chemicals and chemical
9 containers. Grants shall be paid from the appropriation under s. 20.115 (7) ~~(v)~~ (va).

10 **SECTION 1742.** 93.70 of the statutes is renumbered 93.70 (1).

11 **SECTION 1743.** 93.70 (2) of the statutes is created to read:

12 **93.70 (2)** The department may not make a payment under sub. (1) to a person
13 whose name appears on the statewide support lien docket under s. 49.854 (2) (b),
14 unless the person provides to the department a payment agreement that has been
15 approved by the county child support agency under s. 59.53 (5) and that is consistent
16 with rules promulgated under s. 49.858 (2) (a).

17 **SECTION 1745.** 94.64 (4) (a) 5. of the statutes is amended to read:

18 **94.64 (4) (a) 5.** An agricultural chemical cleanup surcharge of ~~38~~ 63 cents per
19 ton on all fertilizer that the person sells or distributes in this state ~~after June 30,~~
20 ~~1999~~, unless the department establishes a lower surcharge under s. 94.73 (15).

21 **SECTION 1745d.** 94.64 (4) (c) 4. of the statutes is amended to read:

22 **94.64 (4) (c) 4.** The department shall deposit the fee under par. (a) 4. in the
23 ~~environmental~~ agricultural management fund ~~for environmental management.~~

24 **SECTION 1745i.** 94.65 (6) (a) 4. of the statutes is amended to read:

1 94.65 (6) (a) 4. Annually by March 31, pay to the department a groundwater
2 fee of 10 cents for each ton of soil or plant additive distributed, as described in the
3 tonnage report filed under subd. 1. The minimum groundwater fee is \$1 for 10 tons
4 or less. ~~All groundwater fees shall be credited to the environmental fund for~~
5 ~~environmental management.~~

6 **SECTION 1745L.** 94.65 (6) (c) of the statutes is amended to read:

7 94.65 (6) (c) The department shall deposit fees collected under pars. (a) 1. and
8 4. and (b) and subs. (2) (a) and (3) (b) in the agrichemical management fund.

9 **SECTION 1746.** 94.681 (1) (cm) of the statutes is created to read:

10 94.681 (1) (cm) “Payment period” means the 12 months ending on September
11 30 of the calendar year for which a license is sought under s. 94.68.

12 **SECTION 1747.** 94.681 (2) of the statutes is repealed and recreated to read:

13 94.681 (2) ANNUAL LICENSE FEE. An applicant for a license under s. 94.68 shall
14 pay an annual license fee for each pesticide product that the applicant sells or
15 distributes for use in this state. The amount of the fee is based on sales of pesticide
16 products during the payment period. An applicant shall pay an estimated fee before
17 the start of each license year as provided in sub. (3s) (a) and shall make a fee
18 adjustment payment before the end of the license year if required under sub. (3s) (b).
19 Except as provided in sub. (5) or (6), the fee for each pesticide product is as follows:

20 (a) For each household pesticide product:

21 1. If the applicant sells less than \$25,000 of the product during the payment
22 period for use in this state, \$265.

23 2. If the applicant sells at least \$25,000 but less than \$75,000 of the product
24 during the payment period for use in this state, \$750.

1 3. If the applicant sells at least \$75,000 of the product during the payment
2 period for use in this state, \$1,500.

3 (b) For each industrial pesticide product:

4 1. If the applicant sells less than \$25,000 of the product during the payment
5 period for use in this state, \$315.

6 2. If the applicant sells at least \$25,000 but less than \$75,000 of the product
7 during the payment period for use in this state, \$860.

8 3. If the applicant sells at least \$75,000 of that product during the payment
9 period for use in this state, \$3,060.

10 (c) For each nonhousehold pesticide product:

11 1. If the applicant sells less than \$25,000 of that product during the payment
12 period for use in this state, \$320.

13 2. If the applicant sells at least \$25,000 but less than \$75,000 of the product
14 during the payment period for use in this state, \$890.

15 3. If the applicant sells at least \$75,000 of the product during the payment
16 period for use in this state, \$3,060 plus 0.2% of the gross revenues from sales of the
17 product during the payment period for use in this state.

18 **SECTION 1748.** 94.681 (3) of the statutes is amended to read:

19 94.681 (3) NONHOUSEHOLD PESTICIDES; CLEANUP SURCHARGE. ~~Except for the~~
20 ~~license years that begin on January 1, 1999, and January 1, 2000, an~~ An applicant
21 for a license under s. 94.68 shall pay an agricultural chemical cleanup surcharge for
22 each nonhousehold pesticide product that the applicant sells or distributes for use
23 in this state. The amount of the surcharge is based on sales of nonhousehold
24 pesticide products during the payment period. An applicant shall pay an estimated
25 surcharge before the start of each license year as provided in sub. (3s) (a) and shall

1 make a surcharge adjustment payment before the end of the license year if required
2 by sub. (3s) (b). Except as provided in sub. (6) or under s. 94.73 (15), the amount of
3 the surcharge is as follows:

4 (a) If the applicant sold sells less than \$25,000 of the product during the
5 preceding year payment period for use in this state, \$5.

6 (b) If the applicant sold sells at least \$25,000 but less than \$75,000 of that
7 product during the preceding year payment period for use in this state, \$170.

8 (c) If the applicant sold sells at least \$75,000 of that product during the
9 preceding year payment period for use in this state, an amount equal to 1.1% of gross
10 revenues from sales of the product during the preceding year payment period for use
11 in this state.

12 **SECTION 1749.** 94.681 (3m) of the statutes is amended to read:

13 **94.681 (3m) WOOD PRESERVATIVES; CLEANUP SURCHARGE.** An applicant for a
14 license under s. 94.68 shall pay an environmental cleanup surcharge for each
15 pesticide product that is not a household pesticide and is solely labeled for use on
16 wood and contains pentachlorophenol or coal tar creosote that the applicant sells or
17 distributes in this state. The amount of the surcharge is based on sales of pesticide
18 products that are not household pesticides and are solely labeled for use on wood and
19 contain pentachlorophenol or coal tar creosote during the payment period. An
20 applicant shall pay an estimated surcharge before the start of each license year as
21 provided in sub. (3s) (a) and shall make a surcharge adjustment payment before the
22 end of the license year if required by sub. (3s) (b). Except as provided in sub. (6), the
23 amount of the surcharge is as follows:

24 (a) If the applicant sold sells less than \$25,000 of the product during the
25 preceding year payment period for use in this state, \$5.

1 (b) If the applicant sold sells at least \$25,000 but less than \$75,000 of that
2 product during the preceeding year payment period for use in this state, \$170.

3 (c) If the applicant sold sells at least \$75,000 of that product during the
4 preceeding year payment period for use in this state, an amount equal to 1.1% of gross
5 revenues from sales of the product during the preceeding year payment period for use
6 in this state.

7 **SECTION 1750.** 94.681 (3s) of the statutes is created to read:

8 94.681 (3s) PAYMENT OF FEES AND SURCHARGES. (a) Before the start of a license
9 year, an applicant shall estimate the gross revenues that the applicant will receive
10 from sales of each pesticide product during the payment period that ends during the
11 year for which a license is sought under s. 94.68 and shall pay the amounts under
12 subs. (2), (3), and (3m) based on that estimate. At least 15 days before beginning to
13 sell a new pesticide product in this state, a licensee shall estimate the gross revenues
14 that the applicant will receive from sales of that pesticide product during the
15 payment period in which the licensee begins to sell the pesticide product and shall
16 pay the amounts under subs. (2), (3), and (3m) based on that estimate.

17 (b) Before the end of a license year, a licensee shall report to the department
18 the gross revenues that the licensee received from sales of each pesticide product
19 during the payment period that ended during the license year, as required under s.
20 94.68 (2) (a) 2., and shall reconcile the estimated payment made under par. (a) with
21 the amounts actually due under subs. (2), (3), and (3m) as follows:

22 1. If the amount due based on actual sales is greater than the amount paid
23 based on estimated sales, the licensee shall pay the additional amount due.

1 2. If the amount due based on actual sales is less than the amount paid based
2 on estimated sales, the licensee may request the department to reimburse the
3 licensee for the amount of the overpayment.

4 3. If the amount due based on actual sales equals the amount paid based on
5 estimated sales, no action is required.

6 (c) 1. Except as provided in subd. 2., if a licensee's total payment due under par.
7 (b) is more than 20% of the total amount paid under par. (a), the licensee shall pay
8 a penalty equal to 20% of the total amount due under par. (b). The penalty under this
9 subdivision is in addition to any late filing fee under s. 93.21 (5).

10 2. Subdivision 1. does not apply to a licensee if the licensee's payments under
11 par. (a) are based on estimates of gross revenues from sales for each pesticide product
12 that equal at least 90% of the licensee's gross revenues from sales of the pesticide
13 product during the preceding year.

14 **SECTION 1750c.** 94.681 (4) of the statutes is amended to read:

15 94.681 (4) ~~PRIMARY PRODUCERS; WELL COMPENSATION FEE.~~ A primary producer
16 applying for a license under s. 94.68 shall pay a ~~well-compensation~~ primary producer
17 fee of \$150.

18 **SECTION 1750e.** 94.681 (7) (a) (intro.) of the statutes is renumbered 94.681 (7)
19 (a) and amended to read:

20 94.681 (7) (a) *License fees.* The department shall deposit all license fees
21 collected under subs. (2), (5) and (6) (a) 3. in the agrichemical management fund
22 ~~except as follows:~~

23 **SECTION 1750f.** 94.681 (7) (a) 1. of the statutes is repealed.

24 **SECTION 1750g.** 94.681 (7) (a) 2. of the statutes is repealed.

25 **SECTION 1750j.** 94.681 (7) (bm) of the statutes is amended to read:

1 94.681 (7) (bm) *Wood preservatives; cleanups surcharge*. The department shall
2 deposit the surcharges collected under subs. (3m) and (6) (a) 5. in the ~~environmental~~
3 agricultural management fund ~~for environmental management~~.

4 **SECTION 1750L.** 94.681 (7) (c) of the statutes is amended to read:

5 94.681 (7) (c) ~~Well compensation~~ *Primary producer fee*. The department shall
6 deposit the well compensation primary producer fees collected under sub. (4) in the
7 ~~environmental~~ agricultural management fund ~~for environmental management~~.

8 **SECTION 1754.** 94.73 (6) (b) of the statutes is amended to read:

9 94.73 (6) (b) Except as provided in pars. (c) and (e), the department shall
10 reimburse a responsible person an amount equal to ~~80%~~ 75% of the corrective action
11 costs incurred for each discharge site that are greater than \$3,000 and less than
12 \$400,000.

13 **SECTION 1755.** 94.73 (6) (c) (intro.) of the statutes is amended to read:

14 94.73 (6) (c) (intro.) Except as provided in par. (e), the department shall
15 reimburse a responsible person an amount equal to ~~80%~~ 75% of the corrective action
16 costs incurred for each discharge site that are greater than \$7,500 and less than
17 \$400,000 if any of the following applies:

18 **SECTION 1755q.** 94.73 (12m) of the statutes is amended to read:

19 94.73 (12m) **SAMPLE COLLECTION AND ANALYSIS.** For the purpose of investigating
20 a discharge or exercising its authority under this section, the department may collect
21 and analyze samples of plants, soil, surface water, groundwater and other material
22 at a site if the department determines that probable cause exists to believe that a
23 discharge has occurred at the site and determines that sufficient funds are available
24 in the agricultural chemical cleanup fund to pay a claim that may result from the

1 discharge or that there is reason to believe that the discharge poses a significant risk
2 to human health.

3 **SECTION 1756.** 94.73 (15) (a) of the statutes is amended to read:

4 94.73 (15) (a) The department may, by rule, reduce any of the surcharges in ss.
5 94.64 (3r) (b) and (4) (a) 5., 94.681 (3), 94.685 (3) (a) 2., 94.703 (3) (a) 2., and 94.704
6 (3) (a) 2. below the amounts specified in those provisions. The department shall
7 adjust surcharge amounts as necessary to maintain a balance in the agricultural
8 chemical cleanup fund at the end of each fiscal year of at least ~~\$2,000,000~~ but not
9 more than ~~\$5,000,000~~ \$2,500,000, but may not increase a surcharge amount over the
10 amount specified in s. 94.64 (3r) (b) or (4) (a) 5., 94.681 (3), 94.685 (3) (a) 2., 94.703
11 (3) (a) 2., or 94.704 (3) (a) 2.

12 **SECTION 1757.** 97.24 (4) (a) of the statutes is amended to read:

13 97.24 (4) (a) Regulation of the production, processing and distribution of milk
14 and fluid milk products under minimum sanitary requirements which are uniform
15 throughout this state and the United States is essential for the protection of
16 consumers and the economic well-being of the dairy industry, and is therefore a
17 matter of statewide concern; however, nothing in this section shall impair or abridge
18 the power of any municipality or county to regulate milk or fluid milk products under
19 sanitary requirements and standards which are in reasonable accord with those
20 established under this section or the power to impose reasonable license permit and
21 inspection fees which combined shall not exceed the cost of necessary inspection. A
22 municipality or county may not impose any fee for its inspection of milk producers,
23 dairy plant facilities or dairy products which are under the inspection supervision
24 of another governmental unit within or without the state with a valid certification
25 rating made or approved by the department of ~~health and family services~~. No

1 governmental unit may impose or collect a fee directly from the producer. A license
2 or permit fee not to exceed \$25 annually may be imposed on milk distributors
3 licensed under s. 97.22 and on dairy plants under the inspection supervision of
4 another governmental unit which are engaged in the distribution of milk within a
5 municipality or county.

6 **SECTION 1758.** 97.24 (4) (b) of the statutes is amended to read:

7 97.24 (4) (b) No sanitary requirement or standard established under this
8 section or contained in any ordinance may prohibit the sale of milk or fluid milk
9 products which are produced and processed under laws or rules of any governmental
10 unit, within or without this state, which are substantially equivalent to the
11 requirements of the rules promulgated under this section, and which are enforced
12 with equal effectiveness, as determined by a milk sanitation rating made or
13 approved by the department of health and family services, under rules promulgated
14 under this section.

15 **SECTION 1812.** 100.261 (2) of the statutes is amended to read:

16 100.261 (2) If any deposit is made for a violation to which this section applies,
17 the person making the deposit shall also deposit a sufficient amount to include the
18 consumer protection assessment required under this section. If the deposit is
19 forfeited, the amount of the consumer protection assessment shall be transmitted to
20 the state ~~treasurer~~ secretary of administration under sub. (3). If the deposit is
21 returned, the consumer protection assessment shall also be returned.

22 **SECTION 1813.** 100.261 (3) (a) of the statutes is amended to read:

23 100.261 (3) (a) The clerk of court shall collect and transmit the consumer
24 protection assessment amounts to the county treasurer under s. 59.40 (2) (m). The

1 county treasurer shall then make payment to the ~~state treasurer~~ secretary of
2 administration under s. 59.25 (3) (f) 2.

3 **SECTION 1815.** 100.261 (3) (b) of the statutes is amended to read:

4 100.261 (3) (b) ~~The state treasurer~~ secretary of administration shall deposit the
5 consumer protection assessment amounts in the general fund and shall credit them
6 to the appropriation account under s. 20.115 (1) (jb), subject to the limit under par.
7 (c).

8 **SECTION 1815d.** 100.261 (3) (c) of the statutes is amended to read:

9 100.261 (3) (c) The amount credited to the appropriation account under s.
10 20.115 (1) (jb) may not exceed ~~\$185,000~~ \$375,000 in each fiscal year.

11 **SECTION 1817d.** 100.261 (4) of the statutes is created to read:

12 100.261 (4) (a) For each fiscal year, beginning with fiscal year 2003–04, the
13 department of agriculture, trade and consumer protection shall determine the total
14 amount of all assessments that were not imposed by a court as required under sub.
15 (1) during that fiscal year in court actions that were commenced on or after the
16 effective date of this paragraph [revisor inserts date], by the department of justice
17 under ch. 100. The department of agriculture, trade and consumer protection shall
18 make this determination before the August 1 immediately following the fiscal year

19 (b) 1. Before the September 1 immediately following the August 1 deadline
20 under par. (a), the secretary of administration shall transfer from any of the
21 department of justice's sum certain, general purpose revenue state operations
22 appropriations, or from any combination of those appropriations, to the
23 appropriation account under s. 20.115 (1) (km) a total amount equal to the amount
24 determined by the department of agriculture, trade and consumer protection under
25 par. (a), subject to subd. 2.

1 2. If the sum of the amounts credited to the appropriation accounts under s.
2 20.115 (1) (jb) and (km) exceeds \$375,000 in any fiscal year, the secretary of
3 administration shall lapse the amount exceeding \$375,000 in that fiscal year from
4 the appropriation account under s. 20.115 (1) (km) to the general fund.

5 **SECTION 1835.** 101.055 (8) (b) of the statutes is amended to read:

6 101.055 (8) (b) ~~A state employee who believes that he or she has been~~
7 ~~discharged or otherwise discriminated against by a public employer in violation of~~
8 ~~par. (ar) may file a complaint with the personnel commission alleging discrimination~~
9 ~~or discharge, within 30 days after the employee received knowledge of the~~
10 ~~discrimination or discharge. A public employee other than a state employee who~~
11 ~~believes that he or she has been discharged or otherwise discriminated against by~~
12 ~~a public employer in violation of par. (ar) may file a complaint with the division of~~
13 ~~equal rights alleging discrimination or discharge, within 30 days after the employee~~
14 ~~received knowledge of the discrimination or discharge.~~

15 **SECTION 1836.** 101.055 (8) (c) of the statutes is amended to read:

16 101.055 (8) (c) Upon receipt of a complaint, the ~~personnel commission or the~~
17 ~~division of equal rights, whichever is applicable, shall, except as provided in s. 230.45~~
18 ~~(1m), investigate the complaint and determine whether there is probable cause to~~
19 ~~believe that a violation of par. (ar) has occurred. If the personnel commission or the~~
20 ~~division of equal rights finds probable cause it shall attempt to resolve the complaint~~
21 ~~by conference, conciliation or persuasion. If the complaint is not resolved, the~~
22 ~~personnel commission or the division of equal rights shall hold a hearing on the~~
23 ~~complaint within 60 days after receipt of the complaint unless both parties to the~~
24 ~~proceeding agree otherwise. Within 30 days after the close of the hearing, the~~
25 ~~personnel commission or the division of equal rights shall issue its decision. If the~~

1 ~~personnel commission~~ or the division of equal rights determines that a violation of
2 par. (ar) has occurred, it shall order appropriate relief for the employee, including
3 restoration of the employee to his or her former position with back pay, and shall
4 order any action necessary to ensure that no further discrimination occurs. If the
5 ~~personnel commission~~ or the division of equal rights determines that there has been
6 no violation of par. (ar), it shall issue an order dismissing the complaint.

7 **SECTION 1837.** 101.055 (8) (d) of the statutes is amended to read:

8 101.055 (8) (d) Orders of the ~~personnel commission~~ and the division of equal
9 rights under this subsection are subject to judicial review under ch. 227.

10 **SECTION 1839.** 101.143 (9m) (g) 2. of the statutes is amended to read:

11 101.143 (9m) (g) 2. Revenue obligations issued under this subsection may not
12 exceed ~~\$342,000,000~~ \$436,000,000 in principal amount, excluding any obligations
13 that have been defeased under a cash optimization program administered by the
14 building commission. In addition to this limit on principal amount, the building
15 commission may contract revenue obligations under this subsection as the building
16 commission determines is desirable to fund or refund outstanding revenue
17 obligations, to pay issuance or administrative expenses, to make deposits to reserve
18 funds, or to pay accrued or capitalized interest.

19 **SECTION 1841.** 101.563 (2) (a) of the statutes is amended to read:

20 101.563 (2) (a) *Payments from calendar year 2000 dues.* Notwithstanding s.
21 101.573 (3) (a), the department shall pay every city, village, and town that is entitled
22 to payment under sub. (1) (a) the amount to which that city, village, or town would
23 have been entitled to receive on or before August 1, 2001, had the city, village, or town
24 been eligible to receive a payment on that date. The department shall calculate the
25 amount due under this paragraph as if every city, village, and town maintaining a

1 fire department was eligible to receive a payment on that date. By the date on which
2 the department provides a certification or recertification to the ~~state treasurer~~
3 secretary of administration under par. (b) 1., the department shall certify to the state
4 ~~treasurer~~ secretary of administration the amount to be paid to each city, village, and
5 town under this paragraph. On or before August 1, 2002, the ~~state treasurer~~
6 secretary of administration shall pay the amount certified by the department under
7 this paragraph to each such city, village, and town. The ~~state treasurer~~ secretary of
8 administration may combine any payment due under this paragraph with any
9 amount due to be paid on or before August 1, 2002, to the same city, village, or town
10 under par. (b) 1.

11 **SECTION 1842.** 101.563 (2) (b) 1. of the statutes is amended to read:

12 101.563 (2) (b) 1. 'Payments from calendar year 2001 dues.' Notwithstanding
13 s. ~~101.575~~ 101.573 (3) (a), by the 30th day following July 30, 2002, the department
14 shall compile the fire department dues paid by all insurers under s. 601.93 and the
15 dues paid by the state fire fund under s. 101.573 (1) and funds remaining under s.
16 101.573 (3) (b), subtract the total amount due to be paid under par. (a), withhold 0.5%,
17 and certify to the ~~state treasurer~~ secretary of administration the proper amount to
18 be paid from the appropriation under s. 20.143 (3) (L) to each city, village, and town
19 entitled to a proportionate share of fire department dues as provided under sub. (1)
20 (b) and s. 101.575. If the department has previously certified an amount to the ~~state~~
21 ~~treasurer~~ secretary of administration under s. ~~101.57~~ 101.573 (3) (a) during calendar
22 year 2002, the department shall recertify the amount in the manner provided under
23 this subdivision. On or before August 1, 2002, the ~~state treasurer~~ secretary of
24 administration shall pay the amounts certified or recertified by the department
25 under this subdivision to each city, village, and town entitled to a proportionate share

1 of fire department dues as provided under sub. (1) and s. 101.575. The state
2 ~~treasurer~~ secretary of administration may combine any payment due under this
3 subdivision with any amount due to be paid on or before August 1, 2002, to the same
4 city, village, or town under par. (a).

5 **SECTION 1843.** 101.563 (2) (b) 2. of the statutes is amended to read:

6 101.563 (2) (b) 2. 'Payments from dues for calendar years 2002 to 2004.'
7 Notwithstanding s. 101.573 (3) (a) and except as otherwise provided in this
8 subdivision, on or before May 1 in each year, the department shall compile the fire
9 department dues paid by all insurers under s. 601.93 and the dues paid by the state
10 fire fund under s. 101.573 (1) and funds remaining under s. 101.573 (3) (b), withhold
11 0.5% and certify to the ~~state treasurer~~ secretary of administration the proper amount
12 to be paid from the appropriation under s. 20.143 (3) (L) to each city, village, and town
13 entitled to a proportionate share of fire department dues as provided under sub. (1)
14 (b) and s. 101.575. Annually, on or before August 1, the ~~state treasurer~~ secretary of
15 administration shall pay the amounts certified by the department to each such city,
16 village, and town. This paragraph applies only to payment of a proportionate share
17 of fire department dues collected for calendar years 2002 to 2004.

18 **SECTION 1844.** 101.563 (2) (b) 3. of the statutes is amended to read:

19 101.563 (2) (b) 3. The amounts withheld under subds. 1. and 2. shall be
20 disbursed to correct errors of the department or the commissioner of insurance. The
21 department shall certify to the ~~state treasurer~~ secretary of administration the
22 amount that must be disbursed to correct an error and the ~~state treasurer~~ secretary
23 of administration shall pay the amount to the specified city, village, or town. The
24 balance of the amount withheld in a calendar year under ~~subds.~~ subd. 1. or 2., as
25 applicable, which is not disbursed under this subdivision shall be included in the

1 total compiled by the department under subd. 2. for the next calendar year, except
2 that amounts withheld under subd. 2. from fire department dues collected for
3 calendar year 2004 that are not disbursed under this subdivision shall be included
4 in the total compiled by the department under s. 101.573 (3) (a) for the next calendar
5 year. If errors in payments exceed the amount withheld, adjustments shall be made
6 in the distribution for the next year.

7 **SECTION 1845.** 101.573 (1) of the statutes is amended to read:

8 101.573 (1) The department shall include in the compilation and certification
9 of fire department dues under sub. (3) 2% of the premiums paid to the state fire fund
10 for the insurance of any public property, other than state property. The department
11 shall notify the ~~state treasurer~~ secretary of administration of the amount certified
12 under this subsection and the ~~state treasurer~~ secretary of administration shall
13 charge the amount to the state fire fund.

14 **SECTION 1846.** 101.573 (3) (a) of the statutes is amended to read:

15 101.573 (3) (a) On or before May 1 in each year, the department shall compile
16 the fire department dues paid by all insurers under s. 601.93 and the dues paid by
17 the state fire fund under sub. (1) and funds remaining under par. (b), withhold .5%
18 and certify to the ~~state treasurer~~ secretary of administration the proper amount to
19 be paid from the appropriation under s. 20.143 (3) (L) to each city, village, or town
20 entitled to fire department dues under s. 101.575. Annually, on or before August 1,
21 the ~~state treasurer~~ secretary of administration shall pay the amounts certified by the
22 department to the cities, villages and towns eligible under s. 101.575.

23 **SECTION 1847.** 101.573 (3) (b) of the statutes is amended to read:

24 101.573 (3) (b) The amount withheld under par. (a) shall be disbursed to correct
25 errors of the department or the commissioner of insurance or for payments to cities,

1 villages, or towns which are first determined to be eligible for payments under par.
2 (a) after May 1. The department shall certify to the ~~state treasurer~~ secretary of
3 administration, as near as is practical, the amount which would have been payable
4 to the municipality if payment had been properly disbursed under par. (a) on or prior
5 to May 1, except the amount payable to any municipality first eligible after May 1
6 shall be reduced by 1.5% for each month or portion of a month which expires after
7 May 1 and prior to the eligibility determination. The ~~state treasurer~~ secretary of
8 administration shall pay the amount certified to the city, village, or town. The
9 balance of the amount withheld in a calendar year under par. (a) which is not
10 disbursed under this paragraph shall be included in the total compiled by the
11 department under par. (a) for the next calendar year. If errors in payments exceed
12 the amount set aside for error payments, adjustments shall be made in the
13 distribution for the next year.

14 **SECTION 1848.** 101.573 (4) of the statutes is amended to read:

15 101.573 (4) The department shall transmit to the treasurer of each city, village,
16 and town entitled to fire department dues, a statement of the amount of dues payable
17 to it, and the commissioner of insurance shall furnish to the ~~state treasurer~~ secretary
18 of administration, upon request, a list of the insurers paying dues under s. 601.93
19 and the amount paid by each.

20 **SECTION 1850.** 102.28 (7) (a) of the statutes is amended to read:

21 102.28 (7) (a) If an employer who is currently or was formerly exempted by
22 written order of the department under sub. (2) is unable to pay an award, judgment
23 is rendered in accordance with s. 102.20 against that employer, and execution is
24 levied and returned unsatisfied in whole or in part, payments for the employer's
25 liability shall be made from the fund established under sub. (8). If a currently or

1 formerly exempted employer files for bankruptcy and not less than 60 days after that
2 filing the department has reason to believe that compensation payments due are not
3 being paid, the department in its discretion may make payment for the employer's
4 liability from the fund established under sub. (8). The ~~state treasurer~~ secretary of
5 administration shall proceed to recover such payments from the employer or the
6 employer's receiver or trustee in bankruptcy, and may commence an action or
7 proceeding or file a claim therefor. The attorney general shall appear on behalf of
8 the ~~state treasurer~~ secretary of administration in any such action or proceeding. All
9 moneys recovered in any such action or proceeding shall be paid into the fund
10 established under sub. (8).

11 **SECTION 1851.** 102.63 of the statutes is amended to read:

12 **102.63 Refunds by state.** Whenever the department shall certify to the state
13 ~~treasurer~~ secretary of administration that excess payment has been made under s.
14 102.59 or under s. 102.49 (5) either because of mistake or otherwise, the state
15 ~~treasurer~~ secretary of administration shall within 5 days after receipt of such
16 certificate draw an order against the fund in the state treasury into which such
17 excess was paid, reimbursing such payor of such excess payment, together with
18 interest actually earned thereon if the excess payment has been on deposit for at
19 least 6 months.

20 **SECTION 1853.** 102.85 (4) (c) of the statutes is amended to read:

21 102.85 (4) (c) If any deposit is made for an offense to which this section applies,
22 the person making the deposit shall also deposit a sufficient amount to include the
23 uninsured employer assessment prescribed in this section. If the deposit is forfeited,
24 the amount of the uninsured employer assessment shall be transmitted to the state

1 ~~treasurer~~ secretary of administration under par. (d). If the deposit is returned, the
2 uninsured employer assessment shall also be returned.

3 **SECTION 1854.** 102.85 (4) (d) of the statutes is amended to read:

4 102.85 (4) (d) The clerk of the court shall collect and transmit to the county
5 treasurer the uninsured employer assessment and other amounts required under s.
6 59.40 (2) (m). The county treasurer shall then make payment to the ~~state treasurer~~
7 secretary of administration as provided in s. 59.25 (3) (f) 2. The ~~state treasurer~~
8 secretary of administration shall deposit the amount of the uninsured employer
9 assessment, together with any interest thereon, in the uninsured employers fund as
10 provided in s. 102.80 (1).

11 **SECTION 1855.** 103.10 (12) (a) of the statutes is repealed.

12 **SECTION 1858.** 106.01 (11) of the statutes is repealed.

13 **SECTION 1859.** 106.09 (4) of the statutes is repealed.

14 **SECTION 1860.** 106.09 (5) of the statutes is amended to read:

15 106.09 (5) The department is authorized and directed to cooperate with the
16 U.S. employment service in the administration of ~~said act and in carrying out all~~
17 ~~agreements made thereunder~~ its functions.

18 **SECTION 1861.** 106.09 (6) of the statutes is repealed.

19 **SECTION 1862d.** 106.12 (title) of the statutes is repealed.

20 **SECTION 1863d.** 106.12 (1) of the statutes is repealed.

21 **SECTION 1865d.** 106.12 (2) of the statutes is renumbered 106.12 and amended
22 to read:

23 **106.12 Employment and education program administration.** The ~~board~~
24 department shall plan, coordinate, administer, and implement the youth
25 apprenticeship, ~~school-to-work and work-based learning programs~~ program under

1 s. 106.13 (1) and such other employment and education programs as the governor
2 may by executive order assign to the ~~board~~ department. Notwithstanding any
3 limitations placed on the use of state employment and education funds under this
4 section or s. 106.13 or under an executive order assigning an employment and
5 education program to the ~~board~~ department, the ~~board~~ department may issue a
6 general or special order waiving any of those limitations on finding that the waiver
7 will promote the coordination of employment and education services.

8 **SECTION 1866d.** 106.12 (3) of the statutes is repealed.

9 **SECTION 1867d.** 106.12 (4) of the statutes is renumbered 38.40 (4r) and
10 amended to read:

11 38.40 (4r) PUBLICATIONS AND SEMINARS. The board may provide publications and
12 seminars relating to the employment and education programs administered by the
13 board and may establish a schedule of fees for those publications and seminars. Fees
14 established under this subsection for publications and seminars provided by the
15 board may not exceed the actual cost incurred in providing those publications and
16 seminars. The fees collected under this subsection shall be credited to the
17 appropriation account under s. ~~20.445 (7)~~ 20.292 (1) (ga).

18 **SECTION 1867t.** 106.13 (title) of the statutes is amended to read:

19 **106.13 (title) Youth apprenticeship, ~~school-to-work and work-based~~**
20 **learning programs program.**

21 **SECTION 1868d.** 106.13 (1) (intro.) of the statutes is renumbered 106.13 (1) and
22 amended to read:

23 106.13 (1) The ~~board~~ department shall provide ~~all of the following: a youth~~
24 apprenticeship program that includes the grant programs under subs. (3m) and (4).

25 **SECTION 1868m.** 106.13 (1) (a) of the statutes is repealed.

1 **SECTION 1868p.** 106.13 (1) (b) of the statutes is renumbered 38.40 (1m) (b).

2 **SECTION 1868r.** 106.13 (1) (c) of the statutes is renumbered 38.40 (1m) (c) and
3 amended to read:

4 38.40 (1m) (c) A work-based learning program for youths who are eligible to
5 receive temporary assistance for needy families under 42 USC 601 to 619 that
6 includes a component that would permit a participant to earn a youth apprenticeship
7 skills certificate through participation in that program if the participant meets the
8 requirements for earning that certificate under which the board awards grants to
9 tribal colleges that are recognized as land grant colleges under 7 USC 301 to fund
10 programs that provide occupational training and work-based learning experiences
11 to youths and adults.

12 **SECTION 1869d.** 106.13 (2) of the statutes is amended to read:

13 106.13 (2) The council on workforce investment established under 29 USC
14 2821, the technical college system board, and the department of public instruction
15 shall assist the board department in providing the youth apprenticeship program,
16 ~~the school-to-work program and the work-based learning program~~ under sub. (1).

17 **SECTION 1870d.** 106.13 (2m) of the statutes is amended to read:

18 106.13 (2m) The board department shall approve occupations and maintain a
19 list of approved occupations for the youth apprenticeship program ~~and shall approve~~
20 ~~statewide skill standards for the school-to-work program.~~ From the appropriation
21 under s. 20.445 (7) (1) (a), the board department shall develop curricula for youth
22 apprenticeship programs for occupations approved under this subsection.

23 **SECTION 1871.** 106.13 (3m) (b) (intro.) of the statutes is amended to read:

24 106.13 (3m) (b) (intro.) From the appropriation under s. 20.445 (7) (b) (1) (e),
25 the board department shall award grants to applying local partnerships for the

1 implementation and coordination of local youth apprenticeship programs. A local
2 partnership shall include in its grant application the identity of each public agency,
3 nonprofit organization, individual, and other person who is a participant in the local
4 partnership, a plan to accomplish the implementation and coordination activities
5 specified in subds. 1. to 6., and the identity of a fiscal agent who shall be responsible
6 for receiving, managing, and accounting for the grant moneys received under this
7 paragraph. Subject to par. (c), a local partnership that is awarded a grant under this
8 paragraph may use the grant moneys awarded for any of the following
9 implementation and coordination activities:

10 **SECTION 1872.** 106.13 (3m) (b) 6. of the statutes is amended to read:

11 106.13 (3m) (b) 6. Any other implementation or coordination activity that the
12 ~~board~~ department may direct or permit the local partnership to perform.

13 **SECTION 1872g.** 106.13 (3m) (d) of the statutes is created to read:

14 106.13 (3m) (d) The amount of a grant awarded under par. (b) may not exceed
15 \$900 per youth apprentice. A local partnership that is awarded a grant under par.
16 (b) shall provide matching funds equal to 50% of the grant amount awarded.

17 **SECTION 1872h.** 106.13 (3m) (e) of the statutes is created to read:

18 106.13 (3m) (e) The following outcomes are expected of a local youth
19 apprenticeship program that is funded under par. (b):

20 1. At least 80% of the youth apprentices who participate in the program for 2
21 years must receive a high school diploma on completion of the youth apprenticeship.

22 2. At least 60% of the youth apprentices who participate in the program for 2
23 years must be offered full-time employment by the employer that provided the
24 on-the-job training for the youth apprentice on completion of the youth
25 apprenticeship.

1 **SECTION 1873.** 106.13 (4) (a) 1d. of the statutes is amended to read:

2 106.13 (4) (a) 1d. “Eligible employer” means an employer that is eligible to
3 receive a grant under this subsection according to the criteria established by the
4 board department under par. (d).

5 **SECTION 1874.** 106.13 (4) (b) of the statutes is amended to read:

6 106.13 (4) (b) From the appropriation under s. 20.445 (7) (1) (em), the board
7 department may award a grant to a public agency or a nonprofit organization, or to
8 an eligible employer that is responsible for the on-the-job training and supervision
9 of a youth apprentice. A public agency or nonprofit organization that receives a grant
10 under this subsection shall use the funds awarded under the grant to award training
11 grants to eligible employers that provide on-the-job training and supervision for
12 youth apprentices. Subject to par. (c), a training grant provided under this
13 subsection may be awarded to an eligible employer for each youth apprentice who
14 receives at least 180 hours of paid on-the-job training from the eligible employer
15 during a school year, as defined in s. 115.001 (13). The amount of a training grant
16 may not exceed \$500 per youth apprentice per school year. A training grant may not
17 be awarded for any specific youth apprentice for more than 2 school years.

18 **SECTION 1875.** 106.13 (4) (c) of the statutes is amended to read:

19 106.13 (4) (c) Notwithstanding par. (b), the board department may award a
20 training grant under this subsection to an eligible employer that provides less than
21 180 hours of paid on-the-job training for a youth apprentice during a school year,
22 as defined in s. 115.001 (13), if the board department determines that it would be
23 beneficial for the youth apprentice to receive on-the-job training from more than one
24 eligible employer.

25 **SECTION 1876.** 106.13 (4) (d) of the statutes is amended to read:

1 106.13 (4) (d) The ~~board~~ department shall establish eligibility criteria for a
2 grant under this subsection. That criteria shall specify that eligibility for a grant
3 shall be limited to small employers, as determined by the ~~board~~ department, and to
4 employers providing on-the-job training in employment areas determined by the
5 ~~board~~ department. Notwithstanding sub. (5), those criteria need not be promulgated
6 as rules.

7 **SECTION 1876t.** 106.13 (4m) of the statutes is renumbered 38.40 (4m) and
8 amended to read:

9 **38.40 (4m) SCHOOL-TO-WORK FOR CHILDREN-AT-RISK.** (a) The board may approve
10 an innovative school-to-work program provided by a nonprofit organization for
11 children at risk, as defined in s. 118.153 (1) (a), in a county having a population of
12 500,000 or more to assist those children at risk in acquiring employability skills and
13 occupational-specific competencies before leaving high school. If the board approves
14 a program under this paragraph, the board may award a grant, from the
15 appropriation under s. ~~20.445 (7)~~ 20.292 (1) (ef), to the nonprofit organization
16 providing the program and the nonprofit organization shall use the funds received
17 under the grant to provide the program.

18 (b) The board shall establish requirements for the operation of the grant
19 program under this subsection. Notwithstanding sub. (5), those requirements ~~need~~
20 ~~not~~ are not required to be promulgated as rules.

21 **SECTION 1878.** 106.13 (5) of the statutes is amended to read:

22 106.13 (5) The ~~board~~ department shall promulgate rules to administer this
23 section.

24 **SECTION 1879.** 106.15 (3) (intro.) of the statutes is amended to read:

1 106.15 (3) GRANTS. (intro.) From the ~~appropriation~~ appropriations under s.
2 20.445 (1) (bc), (jm), ~~(mb)~~ and ~~(me)~~ and (m), the department shall make grants to
3 persons providing employment and training activities to dislocated workers
4 including ~~but not limited to~~ all of the following:

5 **SECTION 1880.** 106.15 (7) of the statutes is amended to read:

6 106.15 (7) FUNDING. From the amounts appropriated under s. 20.445 (1) ~~(ma)~~,
7 ~~(mb)~~ and ~~(me)~~ (m), all moneys received under 29 USC 2862 to 2864 shall be expended
8 to fund grants and operations under this section.

9 **SECTION 1881.** 106.17 (2) of the statutes is amended to read:

10 106.17 (2) The collection and distribution of local labor market information
11 under sub. (1) shall be funded only from the appropriations under s. 20.445 (1) (m),
12 ~~(ma)~~ and (n).

13 **SECTION 1882.** 106.21 (title) of the statutes is repealed.

14 **SECTION 1883.** 106.21 (1) of the statutes is repealed.

15 **SECTION 1884.** 106.21 (2) of the statutes is repealed.

16 **SECTION 1885.** 106.21 (3) of the statutes is repealed.

17 **SECTION 1886.** 106.21 (4) of the statutes is repealed.

18 **SECTION 1887.** 106.21 (5) of the statutes is repealed.

19 **SECTION 1888.** 106.21 (6) of the statutes is repealed.

20 **SECTION 1889.** 106.21 (7) of the statutes is repealed.

21 **SECTION 1890.** 106.21 (8) of the statutes is repealed.

22 **SECTION 1891.** 106.21 (9) (a) of the statutes is repealed.

23 **SECTION 1892.** 106.21 (9) (b) of the statutes is repealed.

24 **SECTION 1893.** 106.21 (9) (c) of the statutes is repealed.

25 **SECTION 1894.** 106.21 (9) (e) of the statutes is repealed.

1 **SECTION 1895.** 106.21 (9) (f) of the statutes is repealed.

2 **SECTION 1896.** 106.21 (9) (g) 1. of the statutes is repealed.

3 **SECTION 1897.** 106.21 (9) (g) 2. of the statutes is renumbered 106.213 and
4 amended to read:

5 **106.213 Wisconsin service corps education vouchers.** The An education
6 voucher under s. 106.21 (9) (g) 1., 2001 stats., is valid for 3 years after the date of
7 issuance for the payment of tuition and required program activity fees at any
8 institution of higher education, as defined under s. 39.32 (1) (a), that accepts the
9 voucher and the department shall authorize payment to the institution of face value
10 of the voucher upon presentment.

11 **SECTION 1898.** 106.21 (10) of the statutes is repealed.

12 **SECTION 1899.** 106.21 (11) of the statutes is repealed.

13 **SECTION 1900.** 106.21 (12) of the statutes is repealed.

14 **SECTION 1901.** 106.21 (13) of the statutes is repealed.

15 **SECTION 1902.** 106.213 of the statutes, as created by 2003 Wisconsin Act
16 (this act), is repealed.

17 **SECTION 1903d.** 106.215 (title) of the statutes is repealed.

18 **SECTION 1904.** 106.215 (1) (intro.) of the statutes is repealed.

19 **SECTION 1905.** 106.215 (1) (a) of the statutes is repealed.

20 **SECTION 1906.** 106.215 (1) (b) of the statutes is repealed.

21 **SECTION 1907.** 106.215 (1) (c) of the statutes is repealed.

22 **SECTION 1908.** 106.215 (1) (cg) of the statutes is repealed.

23 **SECTION 1909.** 106.215 (1) (cm) of the statutes is repealed.

24 **SECTION 1910.** 106.215 (1) (d) of the statutes is repealed.

25 **SECTION 1911.** 106.215 (1) (e) of the statutes is repealed.

1 **SECTION 1912.** 106.215 (1) (f) of the statutes is repealed.

2 **SECTION 1913.** 106.215 (1) (fm) of the statutes is renumbered 977.01 (2) and
3 amended to read:

4 977.01 (2) “Public assistance” means relief provided by counties under s. 59.53
5 (21), Wisconsin works under ss. 49.141 to 49.161, ~~aid to families with dependent~~
6 ~~children under s. 49.19~~, medical assistance under subch. IV of ch. 49, low-income
7 energy assistance under s. 16.385, weatherization assistance under s. 16.39, and the
8 food stamp program under 7 USC 2011 to 2029.

9 **SECTION 1914.** 106.215 (1) (g) of the statutes is repealed.

10 **SECTION 1915d.** 106.215 (2) of the statutes is repealed.

11 **SECTION 1917.** 106.215 (3) of the statutes is repealed.

12 **SECTION 1918.** 106.215 (3m) of the statutes is repealed.

13 **SECTION 1919.** 106.215 (4) of the statutes is repealed.

14 **SECTION 1920.** 106.215 (5) of the statutes is repealed.

15 **SECTION 1921.** 106.215 (6) of the statutes is repealed.

16 **SECTION 1922d.** 106.215 (7) of the statutes is repealed.

17 **SECTION 1927.** 106.215 (8) of the statutes is repealed.

18 **SECTION 1928.** 106.215 (8g) of the statutes is repealed.

19 **SECTION 1929.** 106.215 (8m) of the statutes is repealed.

20 **SECTION 1930.** 106.215 (9) of the statutes is repealed.

21 **SECTION 1931.** 106.215 (10) (title) of the statutes is repealed.

22 **SECTION 1932.** 106.215 (10) (a) of the statutes is repealed.

23 **SECTION 1933.** 106.215 (10) (b) of the statutes is repealed.

24 **SECTION 1934.** 106.215 (10) (c) of the statutes is repealed.

25 **SECTION 1935.** 106.215 (10) (e) of the statutes is repealed.

1 **SECTION 1936.** 106.215 (10) (f) of the statutes is repealed.

2 **SECTION 1937.** 106.215 (10) (fm) of the statutes is repealed.

3 **SECTION 1938.** 106.215 (10) (g) (title) and 1. of the statutes are repealed.

4 **SECTION 1939.** 106.215 (10) (g) 1m. of the statutes is repealed.

5 **SECTION 1940.** 106.215 (10) (g) 2. of the statutes is repealed.

6 **SECTION 1941.** 106.215 (10) (g) 2m. of the statutes is repealed.

7 **SECTION 1942.** 106.215 (10) (g) 3. of the statutes is renumbered 106.217 and
8 amended to read:

9 **106.217 Wisconsin conservation corps education vouchers.** The An
10 education voucher under s. 106.215 (10) (g) 1m. or 2m., 2001 stats., is valid for 4 years
11 after the date of issuance for the payment of tuition and required program activity
12 fees at any institution of higher education, as defined in 20 USC 1002, that accepts
13 the voucher. ~~The board~~ department shall authorize payment to the institution of face
14 value of the voucher upon presentment.

15 **SECTION 1943.** 106.215 (10) (g) 4. of the statutes is repealed.

16 **SECTION 1944.** 106.215 (10) (h) of the statutes is repealed.

17 **SECTION 1945.** 106.215 (11) of the statutes is repealed.

18 **SECTION 1946.** 106.215 (12) of the statutes is repealed.

19 **SECTION 1947.** 106.215 (13) of the statutes is repealed.

20 **SECTION 1948.** 106.217 of the statutes, as affected by 2003 Wisconsin Act
21 (this act), is repealed.

22 **SECTION 1949.** 106.26 (4) of the statutes is repealed.

23 **SECTION 1952.** 107.30 (10) of the statutes is amended to read:

24 107.30 (10) “Mining damage appropriation” means the appropriation under s.
25 20.445 (4) (b) 20.143 (3) (a).

1 **SECTION 1953.** 107.31 (5) (a) (intro.) of the statutes is amended to read:

2 107.31 (5) (a) *Calculation.* (intro.) The mining damage reserve accumulation
3 is calculated by subtracting the total amount of all mining damages awards paid
4 from the appropriation under s. 20.445 (4) (a), 2001 stats., beginning on May 22, 1980
5 or paid from the appropriation under s. 20.143 (3) (a) from the sum of:

6 **SECTION 1954.** 108.15 (6) (c) of the statutes is amended to read:

7 108.15 (6) (c) If such delinquency is finally established under s. 108.10, the
8 fund's treasurer shall, in case such unit receives a share of any state tax or any type
9 of state aid, certify to the ~~state treasurer~~ secretary of administration the existence
10 and amount of such delinquency.

11 **SECTION 1955.** 108.15 (6) (d) (intro.) of the statutes is amended to read:

12 108.15 (6) (d) (intro.) Upon receipt of such certification, the ~~state treasurer~~
13 secretary of administration shall withhold, from each sum of any such tax or aid
14 thereafter payable to the government unit, until the delinquency is satisfied, the
15 lesser of the following amounts:

16 **SECTION 1956.** 108.15 (6) (e) of the statutes is amended to read:

17 108.15 (6) (e) Any amount withheld by the ~~state treasurer~~ secretary of
18 administration under par. (d) shall be paid by the ~~state treasurer~~ secretary of
19 administration to the fund's treasurer, who shall duly credit such payment toward
20 satisfying the delinquency.

21 **SECTION 1957.** 108.161 (3) of the statutes is amended to read:

22 108.161 (3) Consistently with this chapter and said section 903, such moneys
23 shall be used solely for benefits or employment security administration by the
24 department, including unemployment insurance, employment service,
25 apprenticeship programs, and related statistical operations.

1 **SECTION 1958.** 108.161 (4) (c) of the statutes is amended to read:

2 108.161 (4) (c) Specifying that the appropriated amounts are available for
3 obligation solely within the 2 years beginning on the appropriation law's date of
4 enactment. This paragraph does not apply to the appropriation under s. 20.445 (1)
5 (nd).

6 **SECTION 1959.** 108.162 (3) of the statutes is amended to read:

7 108.162 (3) The amount obligated under this section during any fiscal year may
8 not exceed the aggregate of all amounts credited under s. 108.161 (1), including
9 amounts credited under s. 108.161 (8), reduced by the amount obligated under s.
10 20.445 (1) (nb) and (nd) and further reduced at the time of any obligation by the sum
11 of the moneys obligated and charged against any of the amounts thus credited.

12 **SECTION 1960.** 108.20 (2) of the statutes is amended to read:

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

18 **SECTION 1960m.** 111.09 (1) of the statutes is amended to read:

19 111.09 (1) The commission may adopt reasonable and proper rules and
20 regulations relative to the exercise of its powers and authority and proper rules to
21 govern its proceedings and to regulate the conduct of all elections and hearings. The
22 commission shall, upon request, provide a transcript of a proceeding to any party to
23 the proceeding for a fee, established by rule, by the commission at a uniform rate per
24 page. All transcript fees shall be credited to the appropriation account under s.
25 20.425 (1) (i), ~~except that fees collected in excess of the uniform rate per page for any~~

1 transcript produced by a reporter who is not employed by the commission shall be
2 credited to the appropriation account under s. 20.425 (1) (g).

3 **SECTION 1961.** 111.335 (1) (cv) of the statutes is amended to read:

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

10 **SECTION 1962.** 111.375 (1) of the statutes is amended to read:

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

22 **SECTION 1963.** 111.375 (2) of the statutes is amended to read:

23 111.375 (2) This subchapter applies to each agency of the state ~~except that~~
24 ~~complaints of discrimination, unfair honesty testing or unfair genetic testing against~~
25 ~~the agency as an employer shall be filed with and processed by the personnel~~

1 ~~commission under s. 230.45 (1) (b). Decisions of the personnel commission are~~
2 ~~subject to review under ch. 227.~~

3 **SECTION 1966.** 111.70 (1) (a) of the statutes is amended to read:

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

1 subject to those rights secured to municipal employees by the constitutions of this
2 state and of the United States and by this subchapter.

3 **SECTION 1985m.** 111.70 (4) (n) of the statutes is created to read:

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

17 **SECTION 1985n.** 111.70 (4) (o) of the statutes is created to read:

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

1 commissioner of insurance under s. 601.41 (12) to determine if health care coverage
2 plans are substantially similar.

3 **SECTION 1986m.** 111.71 (1) of the statutes is amended to read:

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

13 **SECTION 1987m.** 111.81 (5) of the statutes is repealed.

14 **SECTION 1988m.** 111.81 (14) of the statutes is created to read:

15 111.81 (14) “Office” means the office of state human resources management.

16 **SECTION 1988s.** 111.815 of the statutes is amended to read:

17 **111.815 Duties of state.** (1) In the furtherance of this subchapter, the state
18 shall be considered as a single employer and employment relations policies and
19 practices throughout the state service shall be as consistent as practicable. The
20 ~~department~~ office shall negotiate and administer collective bargaining agreements.
21 To coordinate the employer position in the negotiation of agreements, the
22 ~~department~~ office shall maintain close liaison with the legislature relative to the
23 negotiation of agreements and the fiscal ramifications of those agreements. Except
24 with respect to the collective bargaining units specified in s. 111.825 (1m) and (2) (f),
25 the ~~department~~ office is responsible for the employer functions of the executive

1 branch under this subchapter, and shall coordinate its collective bargaining
2 activities with operating state agencies on matters of agency concern. The legislative
3 branch shall act upon those portions of tentative agreements negotiated by the
4 department office that require legislative action. With respect to the collective
5 bargaining units specified in s. 111.825 (1m), the University of Wisconsin Hospitals
6 and Clinics Board is responsible for the employer functions under this subchapter.
7 With respect to the collective bargaining unit specified in s. 111.825 (2) (f), the
8 governing board of the charter school established by contract under s. 118.40 (2r)
9 (cm) is responsible for the employer functions under this subchapter.

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

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

22 **SECTION 1989m.** 111.83 (3) of the statutes is amended to read:

23 111.83 (3) Whenever a question arises concerning the representation of
24 employees in a collective bargaining unit the commission shall determine the
25 representative thereof by taking a secret ballot of the employees and certifying in

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

13 **SECTION 1990.** 111.86 (2) of the statutes is amended to read:

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

21 **SECTION 1990m.** 111.89 (1) of the statutes is amended to read:

22 111.89 (1) Upon establishing that a strike is in progress, the employer may
23 either seek an injunction or file an unfair labor practice charge with the commission
24 under s. 111.84 (2) (e) or both. It is the responsibility of the ~~department~~ office to
25 decide whether to seek an injunction or file an unfair labor practice charge. The

1 existence of an administrative remedy does not constitute grounds for denial of
2 injunctive relief.

3 **SECTION 1991m.** 111.91 (2) (im) of the statutes is created to read:

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

6 **SECTION 1992.** 111.91 (2) (j) of the statutes is amended to read:

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

8 **SECTION 1992e.** 111.91 (4) of the statutes is amended to read:

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

18 **SECTION 1992m.** 111.915 of the statutes is amended to read:

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

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

2 111.92 (1) (a) Any tentative agreement reached between the ~~department~~ office,
3 acting for the state, and any labor organization representing a collective bargaining
4 unit specified in s. 111.825 (1) or (2) (a) to (e) shall, after official ratification by the
5 labor organization, be submitted by the ~~department~~ office to the joint committee on
6 employment relations, which shall hold a public hearing before determining its
7 approval or disapproval. If the committee approves the tentative agreement, it shall
8 introduce in a bill or companion bills, to be put on the calendar or referred to the
9 appropriate scheduling committee of each house, that portion of the tentative
10 agreement which requires legislative action for implementation, such as salary and
11 wage adjustments, changes in fringe benefits, and any proposed amendments,
12 deletions or additions to existing law. Such bill or companion bills are not subject to
13 ss. 13.093 (1), 13.50 (6) (a) and (b) and 16.47 (2). The committee may, however, submit
14 suitable portions of the tentative agreement to appropriate legislative committees
15 for advisory recommendations on the proposed terms. The committee shall
16 accompany the introduction of such proposed legislation with a message that informs
17 the legislature of the committee's concurrence with the matters under consideration
18 and which recommends the passage of such legislation without change. If the joint
19 committee on employment relations does not approve the tentative agreement, it
20 shall be returned to the parties for renegotiation. If the legislature does not adopt
21 without change that portion of the tentative agreement introduced by the joint
22 committee on employment relations, the tentative agreement shall be returned to
23 the parties for renegotiation.

24 **SECTION 1992m.** 111.94 (1) of the statutes is amended to read:

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1 111.94 (1) The commission may adopt reasonable and proper rules relative to
2 the exercise of its powers and authority and proper rules to govern its proceedings
3 and to regulate the conduct of all elections and hearings. The commission shall, upon
4 request, provide a transcript of a proceeding to any party to the proceeding for a fee,
5 established by rule, by the commission at a uniform rate per page. All transcript fees
6 shall be credited to the appropriation account under s. 20.425 (1) (i), ~~except that fees~~
7 ~~collected in excess of the uniform rate per page for any transcript produced by a~~
8 ~~reporter who is not employed by the commission shall be credited to the~~
9 ~~appropriation account under s. 20.425 (1) (g).~~

10 **SECTION 1993.** 114.33 (10) of the statutes is amended to read:

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