

1 **SECTION 1993g.** 115.28 (7) (d) of the statutes is renumbered 115.28 (7) (d) 1. and
2 amended to read:

3 115.28 (7) (d) 1. Annually, Except as provided in subd. 2., annually establish
4 fees for the certification or licensure of school and public library personnel sufficient
5 to fund certification and licensing administrative costs.

6 **SECTION 1993r.** 115.28 (7) (d) 2. of the statutes is created to read:

7 115.28 (7) (d) 2. Charge a fee of \$150 for an initial or renewal teacher or
8 administrator license issued to a resident of this state.

9 **SECTION 1993m.** 115.28 (11) (intro.) of the statutes is amended to read:

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

17 **SECTION 1994d.** 115.28 (25) of the statutes is amended to read:

18 115.28 (25) SCHOOL TECHNOLOGY RESOURCE GRANTS. Consult with the ~~technology~~
19 ~~for educational achievement in Wisconsin board~~ department of administration
20 before awarding school technology resource grants under 20 USC 6842.

21 **SECTION 1995.** 115.28 (30) (b) 1. to 6. of the statutes are amended to read:

22 115.28 (30) (b) 1. ~~Two~~ One full-time ~~eonsultants~~ consultant in agriculture
23 education.

24 2. ~~Two~~ One full-time ~~eonsultants~~ consultant in business education.

25 3. ~~Two~~ One full-time ~~eonsultants~~ consultant in technology education.

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

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

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

5 **SECTION 1995m.** 115.28 (45) of the statutes is repealed.

6 **SECTION 1995m.** 115.28 (47) of the statutes is repealed.

7 **SECTION 1995m.** 115.28 (50) of the statutes is created to read:

8 115.28 (50) MENTORS. Annually distribute the amount appropriated under s.
9 20.255 (2) (hg) to school districts based on the number of full-time equivalent
10 teachers employed by the school district. The school district shall use the money to
11 fund mentors, as defined in s. PI 34.01 (34), Wis. Adm. Code.

12 **SECTION 1995m.** 115.28 (51) of the statutes is created to read:

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

22 **SECTION 1996.** 115.29 (4) of the statutes is renumbered 115.29 (4) (a).

23 **SECTION 1997.** 115.29 (4) (b) of the statutes is created to read:

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

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

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

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

11 **SECTION 1998m.** 115.75 of the statutes is repealed.

12 **SECTION 1998m.** 115.817 (10) (a) of the statutes is amended to read:

13 115.817 (10) (a) The board may apply for and receive the state aid under ~~ss. s.~~
14 115.88 and ~~121.41(1)~~ for the transportation, board and lodging, treatment, and
15 instruction of children participating in programs under this section.

16 **SECTION 1998m.** 115.88 (1m) (a) and (am) of the statutes are amended to read:

17 115.88 (1m) (a) If, upon receipt of the plan under s. 115.77 (4), the state
18 superintendent is satisfied that the special education program has been maintained
19 during the preceding school year in accordance with law, the state superintendent
20 shall certify to the department of administration in favor of each county, cooperative
21 educational service agency and school district maintaining such special education
22 program a sum equal to the amount expended by the county, agency and school
23 district during the preceding year for salaries of personnel enumerated in sub. (1),
24 including the salary portion of any authorized contract for physical or occupational
25 therapy services, and other expenses approved by the state superintendent as costs

1 eligible for reimbursement from the ~~appropriation~~ appropriations under s. 20.255 (2)
2 (b) and (bb).

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

17 **SECTION 1998n.** 115.88 (2), (2m), (3), (4) and (6) of the statutes are amended
18 to read:

19 115.88 (2) TRANSPORTATION AID. If upon receipt of the plan under s. 115.77 (4)
20 the state superintendent is satisfied that the transportation of children with
21 disabilities has been maintained during the preceding year in accordance with the
22 law, the state superintendent shall certify to the department of administration in
23 favor of each county, cooperative educational service agency, or school district
24 transporting such pupils an amount equal to the amount expended for such
25 transportation as costs eligible for reimbursement from the ~~appropriation~~

1 appropriations under s. 20.255 (2) (b) and (bb). Pupils for whom aid is paid under
2 this subsection shall not be eligible for aid under s. 121.58 (2) or (4). This subsection
3 applies to any child with a disability who requires special assistance in
4 transportation, including any such child attending regular classes who requires
5 special or additional transportation. This subsection does not apply to any child with
6 a disability attending regular or special classes who does not require any special or
7 additional transportation.

8 **(2m) OTHER TRANSPORTATION AID.** If the operator of a charter school established
9 under s. 118.40 (2r) transports children with disabilities and the state
10 superintendent is satisfied that the operator of the charter school is complying with
11 20 USC 1400 to 1491o, the state superintendent shall certify to the department of
12 administration in favor of the operator of the charter school a sum equal to the
13 amount that the operator of the charter school expended during the previous school
14 year for transportation under this subsection as costs eligible for reimbursement
15 from the appropriations under s. 20.255 (2) (b) and (bb). The state superintendent
16 may audit costs under this subsection and adjust reimbursement to cover only
17 actual, eligible costs.

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

1 equal to the amount expended for such board and lodging and transportation as costs
2 eligible for reimbursement from the ~~appropriation~~ appropriations under s. 20.255 (2)
3 (b) and (bb).

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

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

18 **SECTION 1998no.** 115.88 (8) of the statutes is amended to read:

19 115.88 (8) ENROLLMENT OUT OF STATE. If a child with a disability is enrolled in
20 a public special education program located in another state and the state
21 superintendent is satisfied that the program in which the child is enrolled complies
22 with this subchapter, the state superintendent shall certify to the department of
23 administration in favor of the school district in which the child resides or the school
24 district attended by the child under s. 118.51 or 121.84 (1) (a) or (4) a sum equal to
25 the amount expended by the school district during the preceding year for the

1 additional costs associated with the child's special education program as costs
2 eligible for reimbursement from the ~~appropriation~~ appropriations under s. 20.255 (2)
3 (b) and (bb).".

4 **SECTION 1999.** 115.882 of the statutes is amended to read:

5 **115.882 Payment of state aid.** Funds appropriated under s. 20.255 (2) (b)
6 shall be used first for the purpose of s. 115.88 (4). Costs eligible for reimbursement
7 from the appropriation under s. 20.255 (2) (b) under ss. 115.88 (1m) to (3), (6) and (8),
8 115.93, and 118.255 (4) shall be reimbursed at a rate set to distribute the full amount
9 appropriated for reimbursement for the costs, less the amount paid by the
10 department of health and family services under s. 20.435 (4) (b) and (o) under s. 49.45
11 (39) (b) 1m., not to exceed 100%.

12 **SECTION 1999c.** 115.882 of the statutes, as affected by 2003 Wisconsin Act ...
13 (this act), is amended to read:

14 **115.882 Payment of state aid.** Funds appropriated under s. 20.255 (2) (b)
15 and (bb) shall be used first for the purpose of s. 115.88 (4). Costs eligible for
16 reimbursement from the ~~appropriation~~ appropriations under s. 20.255 (2) (b) and
17 (bb) under ss. 115.88 (1m) to (3), (6) and (8), 115.93, and 118.255 (4) shall be
18 reimbursed at a rate set to distribute the full amount appropriated for
19 reimbursement for the costs, less the amount paid by the department of health and
20 family services under s. 20.435 (4) (hm) and (o) under s. 49.45 (39) (b) 1m., not to
21 exceed 100%.

22 **SECTION 1999n.** 115.93 of the statutes is amended to read:

23 **115.93 State aid.** If upon receipt of the reports under s. 115.92 (2) the state
24 superintendent is satisfied that the school age parents program has been maintained
25 during the preceding school year in accordance with the rules under s. 115.92 (3), the

1 state superintendent shall certify to the department of administration in favor of
2 each school district maintaining the program a sum equal to the amount expended
3 by the school district during the preceding school year for salaries of teachers and
4 instructional aides, special transportation and other expenses approved by the state
5 superintendent as costs eligible for reimbursement from the appropriation
6 appropriations under s. 20.255 (2) (b) and (bb).

7 **SECTION 2000.** Subchapter VIII (title) of chapter 115 [~~precedes 115.997~~] of the
8 statutes is created to read:

9 **CHAPTER 115**
10 **SUBCHAPTER VIII**
11 **TECHNOLOGY FOR**
12 **EDUCATIONAL ACHIEVEMENT**

13 **SECTION 2001.** 115.997 (3p) of the statutes is created to read:

14 115.997 (3p) “Public museum” means a nonprofit or publicly owned museum
15 located in this state that is accredited by the American Association of Museums or
16 an educational center that is affiliated with such a museum.

17 **SECTION 2002.** 115.997 (4) of the statutes, as affected by 2003 Wisconsin Act
18 (this act), is amended to read:

19 115.997 (4) “Telecommunications” has the meaning given in s. ~~22.01~~ 16.97 (10).

20 **SECTION 2003.** 115.999 (3m) of the statutes is created to read:

21 115.999 (3m) **LOAN FORGIVENESS.** To the extent that sufficient moneys are
22 available in the appropriation account under s. 20.255 (4) (mp) after payment of the
23 administrative expenses specified in s. 20.255 (4) (mp), the department shall use 50%
24 of those available moneys to forgive the repayment of loans provided to school
25 ~~districts and public library boards under this section, including loans to~~

1 municipalities on behalf of public library boards, and 50% of those available moneys
2 to reimburse s. 20.255 (4) (er) and (es) for the payment of principal and interest costs
3 incurred in financing educational technology infrastructure financial assistance
4 under this section and to make full payment of the amounts determined by the
5 building commission under s. 13.488 (1) (m). If the moneys available to forgive the
6 repayment of loans provided to school districts and public library boards under this
7 section, including loans to municipalities on behalf of public library boards, is
8 insufficient to forgive the repayment of all of those loans, the department shall
9 forgive the repayment of those loans on a prorated basis.

10 **SECTION 2004.** 115.9995 (3) of the statutes, as affected by 2003 Wisconsin Act
11 (this act), is amended to read:

12 115.9995 (3) The department of public instruction shall submit an annual
13 report to the department of administration on the status of providing data lines and
14 video links that are requested under sub. (2) (a) and the impact on the universal
15 service fund of any payment under contracts under s. ~~16.974~~ 16.971 (13) to (16).

16 **SECTION 2005.** 115.9995 (6) (a) of the statutes, as affected by 2003 Wisconsin
17 Act (this act), is amended to read:

18 115.9995 (6) (a) From the appropriation under s. 20.255 (4) (s) or (tm), the
19 department may award an annual grant to a school district or private school that had
20 in effect on October 14, 1997, a contract for access to a data line or video link, as
21 documented by the department. The department shall determine the amount of the
22 grant, which shall be equal to the cost incurred by the state to provide
23 telecommunications access to a school district or private school under a contract
24 entered into under s. ~~16.974 (1) or (3)~~ 16.971 (13) or (15) less the amount that the
25 school district or private school would be paying under sub. (2) (d) if the school district

1 or private school were participating in the program established under sub. (1), except
2 that the amount may not be greater than the cost that a school district or private
3 school incurs under the contract in effect on October 14, 1997. A school district or
4 private school receiving a grant under this subsection is not eligible to participate in
5 the program under sub. (1). No grant may be awarded under this subsection after
6 December 31, 2005.

7 **SECTION 2006.** 118.153 (1) (a) (intro.) of the statutes is amended to read:

8 118.153 (1) (a) (intro.) “Children at risk” means pupils in grades 5 to 12 who
9 are at risk of not graduating from high school because they failed the high school
10 graduation examination administered under s. 118.30 (1m) (d), are dropouts, or are
11 2 or more of the following:

12 **SECTION 2007.** 118.153 (4) (b) of the statutes is amended to read:

13 118.153 (4) (b) Upon receipt of a school board’s annual report under par. (a) the
14 state superintendent shall pay to the school district from the appropriation under s.
15 20.255 (2) (bc), for each pupil enrolled in a program for children at risk who achieved
16 at least 3 of the objectives under par. (c) in the previous school year, additional state
17 aid in an amount equal to 10% of the school district’s average per pupil aids provided
18 under s. 20.835 (7) (a), 1991 stats., and s. 20.255 (2) (ac) and (r) in the previous school
19 year.

20 **SECTION 2007m.** 118.153 (4) (b) of the statutes, as affected by 2003 Wisconsin
21 Act ... (this act), is amended to read:

22 118.153 (4) (b) Upon receipt of a school board’s annual report under par. (a) the
23 state superintendent shall pay to the school district from the appropriation under s.
24 20.255 (2) (bc), for each pupil enrolled in a program for children at risk who achieved
25 at least 3 of the objectives under par. (c) in the previous school year, additional state

1 aid in an amount equal to 10% of the school district's average per pupil aids provided
2 under s. 20.835 (7) (a), 1991 stats., s. 20.255 (2) (r), 2003 stats., and s. 20.255 (2) (ac)
3 and (r) in the previous school year.

4 **SECTION 2008.** 118.153 (4) (c) 3. of the statutes is amended to read:

5 118.153 (4) (c) 3. The pupil, if a high school senior, received a high school
6 diploma ~~or passed the high school graduation examination administered under s.~~
7 ~~118.30 (1m) (d).~~

8 **SECTION 2009m.** 118.255 (4) of the statutes is amended to read:

9 118.255 (4) If the state superintendent is satisfied that the health treatment
10 services program has been maintained during the preceding school year in
11 accordance with law, the state superintendent shall certify to the department of
12 administration in favor of each school board, cooperative educational service agency
13 and county children with disabilities education board maintaining such health
14 treatment services, an amount equal to the amount expended for items listed in s.
15 115.88 (1m) by the school board, cooperative educational service agency and county
16 children with disabilities education board during the preceding year for these health
17 treatment services as costs eligible for reimbursement from the ~~appropriation~~
18 appropriations under s. 20.255 (2) (b) and (bb).

19 **SECTION 2010.** 118.30 (1) (a) of the statutes is renumbered 118.30 (1).

20 **SECTION 2011.** 118.30 (1) (b) of the statutes is repealed.

21 **SECTION 2012.** 118.30 (1g) (b) of the statutes is repealed.

22 **SECTION 2013.** 118.30 (1m) (d) of the statutes is repealed.

23 **SECTION 2014.** 118.30 (1r) (a) 1. of the statutes is amended to read:

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

4 **SECTION 2015.** 118.30 (1r) (am) 1. of the statutes is amended to read:

5 118.30 (1r) (am) 1. Except as provided in sub. (6), administer the 8th grade
6 examination adopted or approved by the state superintendent under sub. (1) (a) to
7 all pupils enrolled in the charter school in the 8th grade.

8 **SECTION 2016.** 118.30 (1r) (d) of the statutes is repealed.

9 **SECTION 2017.** 118.30 (2) (e) of the statutes is repealed.

10 **SECTION 2018.** 118.33 (1) (f) 1. of the statutes is amended to read:

11 118.33 (1) (f) 1. By September 1, 2004, each school board operating high school
12 grades shall develop a written policy specifying criteria for granting a high school
13 diploma that are in addition to the requirements under par. (a). The criteria shall
14 include ~~the pupil's score on the examination administered under s. 118.30 (1m) (d),~~
15 the pupil's academic performance, and the recommendations of teachers. Except as
16 provided in subd. 2., the criteria apply to pupils enrolled in charter schools located
17 in the school district.

18 **SECTION 2019.** 118.33 (1) (f) 2. of the statutes is amended to read:

19 118.33 (1) (f) 2. By September 1, 2004, each operator of a charter school under
20 s. 118.40 (2r) that operates high school grades shall develop a policy specifying
21 criteria for granting a high school diploma. The criteria shall include ~~the pupil's~~
22 ~~score on the examination administered under s. 118.30 (1r) (d),~~ the pupil's academic
23 performance, and the recommendations of teachers.

24 **SECTION 2020.** 118.34 (4) of the statutes is repealed.

25 **SECTION 2020g.** 118.40 (2r) (c) 1. of the statutes is amended to read:

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

4 **SECTION 2020r.** 118.40 (2r) (c) 2. of the statutes is repealed and recreated to
5 read:

6 118.40 (2r) (c) 2. A pupil who resides outside the school district operating under
7 ch. 119 may attend a charter school established under this subsection in the school
8 district operating under ch. 119.

9 **SECTION 2020m.** 118.40 (2r) (cm) of the statutes is amended to read:

10 118.40 (2r) (cm) The chancellor of the University of Wisconsin–Parkside may
11 establish or enter into a contract for the establishment of only one charter school
12 under this subsection, which may not operate high school grades ~~and which may not~~
13 ~~accommodate more than 400 pupils.~~

14 **SECTION 2021.** 118.40 (2r) (e) 1. of the statutes is amended to read:

15 118.40 (2r) (e) 1. From the appropriation under s. 20.255 (2) (fm), the
16 department shall pay to the operator of the charter school an amount equal to the
17 sum of the amount paid per pupil under this subdivision in the previous school year
18 and the ~~amount of revenue increase~~ in the per pupil ~~allowed under subch. VII of ch.~~
19 ~~121 amount paid to private schools under s. 119.23 (4) (b) 2.~~ in the current school year
20 as compared to the previous school year, multiplied by the number of pupils
21 attending the charter school. The amount paid per pupil may not be less than the
22 amount paid per pupil under this subdivision in the previous school year. The
23 department shall pay 25% of the total amount in September, 25% in December, 25%
24 in February, and 25% in June. The department shall send the check to the operator
25 of the charter school.

1 **SECTION 2021m.** 118.40 (2r) (e) 2. of the statutes is amended to read:

2 118.40 (2r) (e) 2. If the chancellor of the University of Wisconsin–Parkside
3 establishes or contracts for the establishment of a charter school under this
4 subsection, in March the department shall pay to the unified school district in which
5 the charter school is located, from the appropriation under s. 20.255 (2) (fm), an
6 amount equal to the amount of school aid per pupil to which the unified school district
7 is eligible in the current school year multiplied by the number of pupils, not to exceed
8 400, attending the charter school who were previously enrolled in the unified school
9 district.

10 **SECTION 2021m.** 118.43 (3) (intro.) of the statutes is amended to read:

11 118.43 (3) CONTRACT REQUIREMENTS. (intro.) Except as provided in pars. (am)
12 and (ar) and sub. (4m), an achievement guarantee contract shall require the school
13 board to do all of the following in each participating school:

14 **SECTION 2021n.** 118.43 (4m) of the statutes is created to read:

15 118.43 (4m) EXCEPTIONS. A school district participating in the program under
16 this section on the effective date of this subsection ... [revisor inserts date], may
17 choose not to comply with the requirement to reduce class size to 15 in grades 2 or
18 3 in any school.

19 **SECTION 2021no.** 118.43 (6) (b) (intro.) of the statutes is amended to read:

20 118.43 (6) (b) (intro.) From the appropriations under s. 20.255 (2) (cu) and (cv),
21 subject to par. (c), the department shall pay to each school district that has entered
22 into a contract with the department under this section, except for a school district
23 under sub. (4m), an amount determined as follows:

24 **SECTION 2021nr.** 118.43 (6) (b) 8. of the statutes is amended to read:

1 118.43 (6) (b) 8. In the 2003–04 and 2004–05 school years, \$2,000 multiplied
2 by the number of low-income pupils enrolled in grades eligible for funding in each
3 school in the school district covered by contracts under sub. (3) (ar) and by renewals
4 of contracts under sub. (2) (g) and \$2,000 multiplied by the number of low-income
5 pupils enrolled in those grades under sub. (4m) in which the class size has been
6 reduced to 15.

7 **SECTION 2022d.** 119.23 (2) (a) (intro.) of the statutes is amended to read:

8 119.23 (2) (a) (intro.) Subject to par. (b) (e), any pupil in grades kindergarten
9 to 12 who resides within the city may attend, at no charge, any private school located
10 in the city Milwaukee County if all of the following apply:

11 **SECTION 2022h.** 119.23 (2) (a) 2. of the statutes is repealed.

12 **SECTION 2022p.** 119.23 (2) (b) of the statutes is repealed.

13 **SECTION 2022t.** 119.23 (2) (e) of the statutes is created to read:

14 119.23 (2) (e) A pupil who attends a private school under this section is eligible
15 to attend a private school under this section in succeeding school years even if the
16 pupil no longer meets the criterion under par. (a) 1.

17 **SECTION 2023.** 119.23 (4) (b) 2. of the statutes is amended to read:

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

24 **SECTION 2024.** 119.72 of the statutes is repealed.

25 **SECTION 2025.** 119.73 of the statutes is amended to read:

1 **119.73 Kindergarten and early childhood programs.** The board shall
2 evaluate the effectiveness of the expanded 5-year-old kindergarten programs under
3 s. 119.71 and the early childhood education programs under s. 119.72 in meeting the
4 needs of disadvantaged children. Annually by January 1, the board shall submit a
5 report summarizing its findings to the state superintendent and to the chief clerk of
6 each house of the legislature for distribution to the appropriate standing committees
7 under s. 13.172 (3).

8 **SECTION 2026.** 119.80 of the statutes is repealed.

9 **SECTION 2027.** 119.82 (1) (a) of the statutes is renumbered 119.82 (1m).

10 **SECTION 2028.** 119.82 (1) (b) of the statutes is renumbered 119.82 (2m) and
11 amended to read:

12 119.82 (2m) Programs under ~~par. (a)~~ sub. (1m) shall be designed to meet the
13 high school graduation requirements under s. 118.33.

14 **SECTION 2029.** 119.82 (2) of the statutes is repealed.

15 **SECTION 2030.** 119.82 (3) of the statutes is repealed.

16 **SECTION 2031.** 119.82 (5) of the statutes is repealed.

17 **SECTION 2032d.** 120.18 (1) (i) of the statutes is amended to read:

18 120.18 (1) (i) A description of the educational technology used by the school
19 district, including the uses made of the technology, the cost of the technology, and the
20 number of persons using or served by the technology. In this paragraph, “educational
21 technology” has the meaning given in s. ~~44.70~~ 16.99 (3).

22 **SECTION 2032e.** 121.004 (7) (c) 1. c. of the statutes is created to read:

23 121.004 (7) (c) 1. c. A pupil enrolled in a 4-year-old kindergarten program who
24 is not a child with a disability shall be counted as 0.25 pupil.

25 **SECTION 2032g.** 121.004 (7) (cm) of the statutes is amended to read:

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

5 **SECTION 2032m.** 121.004 (7) (f) of the statutes is renumbered 121.004 (7) (f)
6 (intro.) and amended to read:

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

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

12 **SECTION 2032n.** 121.004 (7) (f) 2. of the statutes is created to read:

13 121.004 (7) (f) 2. In the 2004–05 school year, be counted by the school district
14 in which the pupil resides as 0.65 pupil, or, if appropriate, as a number equal to the
15 result obtained by multiplying 0.65 by the appropriate fraction under par. (c), (cm),
16 or (d).

17 **SECTION 2032o.** 121.004 (7) (f) 3. of the statutes is created to read:

18 121.004 (7) (f) 3. In the 2005–06 school year and each subsequent school year,
19 be counted by the school district in which the pupil resides as 0.50 pupil, or, if
20 appropriate, as a number equal to the result obtained by multiplying 0.50 by the
21 appropriate fraction under par. (c), (cm), or (d).

22 **SECTION 2033.** 121.007 of the statutes is amended to read:

23 **121.007 Use of state aid; exemption from execution.** All moneys paid to
24 a school district under s. 20.255 (2) (ac), (bc), (cg), ~~and (cr)~~, and (r) shall be used by
25 the school district solely for the purposes for which paid. Such moneys are exempt

1 from execution, attachment, garnishment, or other process in favor of creditors,
2 except as to claims for salaries or wages of teachers and other school employees and
3 as to claims for school materials, supplies, fuel, and current repairs.

4 **SECTION 2033m.** 121.007 of the statutes, as affected by 2003 Wisconsin Act
5 (this act), is amended to read:

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

12 **SECTION 2034.** 121.07 (7) (b) of the statutes is amended to read:

13 121.07 (7) (b) The “secondary guaranteed valuation per member” is an amount,
14 rounded to the next lower dollar, that, after subtraction of payments under ss. 121.09
15 and 121.85 (6) (b) 2. and 3. and (c), fully distributes an amount equal to the amount
16 remaining in the ~~appropriation~~ appropriations under s. 20.255 (2) (ac) ~~plus~~
17 ~~\$75,000,000 in the 1997–98 school year and \$100,000,000 in the 1998–99 school year~~
18 ~~for payments under ss. 121.08, 121.105, 121.85 (6) (a) and (g) and 121.86 and (r).~~

19 **SECTION 2034m.** 121.07 (7) (b) of the statutes, as affected by 2003 Wisconsin
20 Act (this act), is amended to read:

21 121.07 (7) (b) The “secondary guaranteed valuation per member” is an amount,
22 rounded to the next lower dollar, that, after subtraction of payments under ss. 121.09
23 and 121.85 (6) (b) 2. and 3. and (c), fully distributes an amount equal to the amount
24 remaining in the ~~appropriations~~ appropriation under s. 20.255 (2) (ac) ~~and (r).~~

25 **SECTION 2036.** 121.08 (4) (a) (intro.) of the statutes is amended to read:

1 121.08 (4) (a) (intro.) The amount of state aid that a school district is eligible
2 to be paid from the ~~appropriation~~ appropriations under s. 20.255 (2) (ac) and (r) shall
3 be reduced by the amount determined as follows:

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

6 121.08 (4) (a) (intro.) The amount of state aid that a school district is eligible
7 to be paid from the ~~appropriations~~ appropriation under s. 20.255 (2) (ac) ~~and (r)~~ shall
8 be reduced by the amount determined as follows:

9 **SECTION 2037.** 121.08 (4) (a) 2. of the statutes is amended to read:

10 121.08 (4) (a) 2. Divide the sum under subd. 1. by the total amount of state aid
11 that all school districts are eligible to be paid from the ~~appropriation~~ appropriations
12 under s. 20.255 (2) (ac) and (r), calculated as if the reduction under par. (b) had not
13 occurred.

14 **SECTION 2037m.** 121.08 (4) (a) 2. of the statutes, as affected by 2003 Wisconsin
15 Act ... (this act), is amended to read:

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

20 **SECTION 2038.** 121.08 (4) (a) 3. of the statutes is amended to read:

21 121.08 (4) (a) 3. Multiply the amount of state aid that the school district is
22 eligible to be paid from the ~~appropriation~~ appropriations under s. 20.255 (2) (ac) and
23 (r), calculated as if the reduction under par. (b) had not occurred, by the quotient
24 under subd. 2.

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

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

7 **SECTION 2039.** 121.08 (4) (b) of the statutes is amended to read:

8 121.08 (4) (b) The amount of state aid that the school district operating under
9 ch. 119 is eligible to be paid from the ~~appropriation~~ appropriations under s. 20.255
10 (2) (ac) and (r) shall also be reduced by 45% of the amounts paid under s. 119.23 (4)
11 and (4m) in the current school year.

12 **SECTION 2039m.** 121.08 (4) (b) of the statutes, as affected by 2003 Wisconsin
13 Act ... (this act), is amended to read:

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

18 **SECTION 2041m.** 121.09 (2m) of the statutes is created to read:

19 121.09 (2m) If after June 30, 1995, and before the effective date of this
20 subsection ... [revisor inserts date], the state board of assessors, the office of the
21 commissioner of tax appeals, or a court makes a final redetermination on the
22 assessment of telephone company property subject to taxation under s. 70.112 (4)
23 and subch. IV of ch. 76 that is lower than the previous assessment, the school board
24 of the school district in which the property is located may, within 4 years after the
25 effective date of this subsection ... [revisor inserts date], file the redetermination

1 with the state superintendent, requesting an adjustment in state aid to the school
2 district. If the state superintendent determines that the redetermination is final and
3 that it has been filed within the 4–year period, the state shall pay to the school
4 district in the subsequent fiscal year, from the appropriation under s. 20.255 (2) (ac),
5 an amount equal to the difference between the state aid computed under s. 121.08
6 for the school year commencing after the year subject to the valuation recertification,
7 using the school district’s equalized valuation as originally certified, and the state
8 aid computed under s. 121.08 for that school year using the school district’s equalized
9 valuation as recertified under s. 70.57 (2).

10 **SECTION 2041r.** 121.09 (2r) of the statutes is created to read:

11 121.09 (2r) If after the effective date of this subsection [revisor inserts date],
12 the state board of assessors, the office of the commissioner of tax appeals, or a court
13 makes a final redetermination on the assessment of telephone company property
14 subject to taxation under s. 70.112 (4) and subch. IV of ch. 76 that is lower than the
15 previous assessment, the school board of the school district in which the property is
16 located may, within 4 years after the redetermination, file the redetermination with
17 the state superintendent, requesting an adjustment in state aid to the school district.
18 If the state superintendent determines that the redetermination is final and that it
19 has been filed within the 4–year period, the state shall pay to the school district in
20 the subsequent fiscal year, from the appropriation under s. 20.255 (2) (ac), an amount
21 equal to the difference between the state aid computed under s. 121.08 for the school
22 year commencing after the year subject to the valuation recertification, using the
23 school district’s equalized valuation as originally certified, and the state aid
24 computed under s. 121.08 for that school year using the school district’s equalized
25 valuation as recertified under s. 70.57 (2).

1 **SECTION 2042.** 121.15 (3m) of the statutes is repealed.

2 **SECTION 2042c.** 121.41 (1) of the statutes is repealed.

3 **SECTION 2042m.** 121.41 (2) (title) of the statutes is repealed.

4 **SECTION 2042s.** 121.41 (2) of the statutes is renumbered 121.41.

5 **SECTION 2042m.** 121.54 (2) (c) of the statutes is amended to read:

6 121.54 (2) (c) An annual or special meeting of a common or union high school
7 district, ~~or the school board of a unified school district, or the board of school directors~~
8 in charge of the school district operating under ch. 119, may elect to provide
9 transportation for pupils who are not required to be transported under this section,
10 including pupils attending public school under s. 118.145 (4). Transportation may
11 be provided for all or some of the pupils who reside in the school district to and from
12 the public school they are entitled to attend; the charter school that they attend; or
13 the private school, within or outside the school district, within whose attendance
14 area they reside. If transportation is provided for less than all such pupils there shall
15 be reasonable uniformity in the minimum distance that pupils attending public,
16 charter, and private schools will be transported. Except for elementary school
17 districts electing to furnish transportation under par. (b) 2., this paragraph does not
18 permit a school district operating only elementary grades to provide transportation
19 for pupils attending private schools.

20 **SECTION 2042m.** 121.85 (6) (b) 2. of the statutes is amended to read:

21 121.85 (6) (b) 2. In each the 2003–04 school year, the school district of
22 attendance of pupils transferring from one school district to another under sub. (3)
23 (a) shall receive an amount equal to that produced by multiplying the number of
24 pupils transferred into the school district under sub. (3) (a) in the previous school
25 year by the amount produced by dividing the school district's net school cost by the

1 sum of the membership, plus the number of pupils transferred into the school district
2 of attendance in the previous school year under sub. (3) (a). This subdivision applies
3 to aid paid in the 1995–96 school year only if the number of pupils transferring from
4 one school district to another under sub. (3) (a) in the 1994–95 school year constitutes
5 less than 5% of the total membership of the school district of attendance.

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

7 121.85 (6) (b) 2m. Following the 2003–04 school year, the school district of
8 attendance of pupils transferring from one school district to another under sub. (3)
9 (a) shall receive the lesser of the average net cost per pupil under subd. 2., as
10 determined by the department, or:

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

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

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

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

16 **SECTION 2042m.** 121.90 (1) (f) of the statutes is created to read:

17 121.90 (1) (f) In determining a school district's revenue limit for the 2003–04
18 school year or for any school year thereafter, the department shall calculate the
19 number of pupils enrolled in each school year prior to the 2003–04 school year by
20 counting pupils enrolled in a 4-year-old kindergarten program as provided in s.
21 121.004 (7) (c) and (cm).

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

23 121.905 (1) In this section, "revenue ceiling" means ~~\$6,700 in the 2001–02~~
24 ~~school year and in any subsequent school year means \$6,900, except that "revenue~~
25 ~~ceiling" means \$7,400 in the 2003–04 school year and \$7,800 in any subsequent~~

1 school year if a school board adopts a resolution to that effect by a two-thirds vote
2 of the members elect.

3 **SECTION 2043d.** 121.91 (2m) (e) (intro.) of the statutes is amended to read:

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

8 **SECTION 2043h.** 121.91 (2m) (f) of the statutes is created to read:

9 121.91 (2m) (f) Except as provided in subs. (3) and (4), no school district may
10 increase its revenues for the 2003–04 school year to an amount that exceeds the
11 amount calculated as follows:

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

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

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

19 **SECTION 2043s.** 121.91 (2m) (g) of the statutes is created to read:

20 121.91 (2m) (g) Except as provided in subs. (3) and (4), no school district may
21 increase its revenues for the 2004–05 school year or for any school year thereafter
22 to an amount that exceeds the amount calculated as follows:

23 1. Divide the sum of the amount of state aid received in the previous school year
24 and property taxes levied for the previous school year, excluding property taxes

1 levied for the purpose of s. 120.13 (19) and excluding funds described under sub. (4)
2 (c), by the average of the number of pupils enrolled in the 3 previous school years.

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

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

6 **SECTION 2043u.** 121.91 (2m) (r) 1. (intro.) of the statutes is amended to read:

7 121.91 (2m) (r) 1. (intro.) Notwithstanding pars. (c), ~~(d)~~ and ~~(e)~~ (g), if a school
8 district is created under s. 117.105, its revenue limit under this section for the school
9 year beginning with the effective date of the reorganization shall be determined as
10 follows except as provided under subs. (3) and (4):

11 **SECTION 2043w.** 121.91 (2m) (r) 2. (intro.) of the statutes is amended to read:

12 121.91 (2m) (r) 2. (intro.) If a school district is created under s. 117.105, the
13 following adjustments to the calculations under pars. (c), ~~(d)~~ and ~~(e)~~ (g) apply for
14 the 2 school years beginning on the July 1 following the effective date of the
15 reorganization:

16 **SECTION 2043y.** 121.91 (4) (f) of the statutes is amended to read:

17 121.91 (4) (f) 1. For the 1999–2000 school year or any school year thereafter,
18 if the average of the number of pupils enrolled in the current and the 2 preceding
19 school years is less than the average of the number of pupils enrolled in the 3 previous
20 school years, the limit otherwise applicable under sub. (2m) ~~(e)~~ (f) or (g) is increased
21 by the additional amount that would have been calculated had the decline in average
22 enrollment been 25% of what it was.

23 2. Any additional revenue received by a school district as a result of subd. 1.
24 shall not be included in the base for determining the school district's limit under sub.
25 (2m) ~~(e)~~ (f) or (g) for the following school year.

1 **SECTION 2043m.** 125.14 (1) of the statutes is amended to read:

2 125.14 (1) **ARREST.** Any Subject to s. 175.38, any peace officer may arrest
3 without warrant any person committing in his or her presence a violation of this
4 chapter or ch. 139 and may, without a search warrant, seize any personal property
5 used in connection with the violation.

6 **SECTION 2044.** 125.14 (2) (e) of the statutes is amended to read:

7 125.14 (2) (e) *Disposal.* The department shall dispose of the alcohol beverages
8 turned over to it by the court by either giving it to law enforcement agencies free of
9 charge for use in criminal investigations, giving it to state-operated veterans'
10 hospitals in amounts needed for medicinal purposes, selling it to the highest bidder
11 if the bidder is a person holding a license or permit issued under this chapter, or
12 destroying it, at the discretion of the department. If the department elects to sell the
13 alcohol beverages, it shall publish a class 2 notice under ch. 985 asking for sealed bids
14 from qualified bidders. Any items or groups of items in the inventory subject to a
15 security interest, the existence of which was established in the proceedings for
16 conviction as being bona fide and as having been created without the secured party
17 having notice that the items were being used or were to be used in connection with
18 the violation, shall be sold separately. The net proceeds from the sale, less all costs
19 of seizure, storage, and sale, shall be turned over to the ~~state treasurer~~ secretary of
20 administration and credited to the common school fund.

21 **SECTION 2045.** 125.14 (2) (f) of the statutes is amended to read:

22 125.14 (2) (f) *Sale.* Any personal property, other than alcohol beverages, seized
23 under par. (a) and fit for sale, shall be turned over by the department to the
24 department of administration for disposal at public auction to the highest bidder, at
25 a time and place stated in a notice of sale which describes the property to be sold.

1 The sale shall be held in a conveniently accessible place in the county where the
2 property was confiscated. A copy of the notice shall be published as a class 2 notice
3 under ch. 985. The last insertion shall be at least 10 days before the sale. The
4 department of revenue shall serve a copy of the notice of sale at least 2 weeks before
5 the date thereof on all persons who are or may be owners or holders of security
6 interests in the property. Any confiscated property worth more than \$100 shall be
7 sold separately, and the balance of the confiscated property shall be sold in bulk or
8 separately at the discretion of the department of administration. The net proceeds
9 from the sale, less all costs of seizure, storage, and sale, shall be turned over to the
10 ~~state treasurer~~ secretary of administration. No motor vehicle or motorboat
11 confiscated under this section may be sold within 30 days after the date of seizure.

2 **SECTION 2048.** 134.80 of the statutes is amended to read:

3 **134.80 Home heating fuel dealers.** Any dealer selling fuel of any kind for
4 the purpose of heating a private residence shall notify each private residential
5 customer whose account is subject to disconnection of the existence of the fuel
6 assistance programs provided by the department of administration under s. ~~16.385~~
7 16.27.

8 **SECTION 2052.** 138.052 (5) (am) 2. a. of the statutes is amended to read:

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

1 last quarterly reporting period that ended at least 30 days before the determination
2 is made.

3 **SECTION 2053.** 138.052 (5) (am) 2. b. of the statutes is amended to read:

4 138.052 (5) (am) 2. b. ~~The office of credit unions and the division of banking~~
5 ~~shall report the rate calculated to the division of savings institutions within~~ Within
6 5 days after the date on which the determination is made. ~~The, the~~ division of savings
7 institutions banking shall calculate the average, rounded to the nearest
8 one-hundredth of a percent, of the 3 rates determined by the division of banking and
9 the office of credit unions and report that interest rate to the revisor of statutes
10 within 5 days after the date on which the determination is made.

11 **SECTION 2054.** 138.055 (4) (a) of the statutes is repealed.

12 **SECTION 2055.** 138.056 (1) (a) 4. a. of the statutes is repealed.

13 **SECTION 2056.** 139.10 (title) of the statutes is amended to read:

14 **139.10 (title) Refunds by state treasurer secretary of administration.**

15 **SECTION 2057.** 139.10 (1) of the statutes is amended to read:

16 139.10 (1) On the certificate of the secretary, the ~~state treasurer~~ secretary of
17 administration shall refund to any purchaser or any banking institution in
18 Wisconsin the tax paid on intoxicating liquor or on whole cases or full kegs of
19 fermented malt beverages which are spoiled or unfit to drink and the tax paid on
20 fermented malt beverages sold to the U.S. armed forces or the secretary may make
21 allowance of the amount of the tax.

22 **SECTION 2057m.** 139.323 (intro.) of the statutes is amended to read:

23 **139.323 Refunds to Indian tribes.** (intro.) The department shall refund 70%
24 30% of the taxes collected under s. 139.31 (1) in respect to sales on reservations or
25 trust lands of an Indian tribe to the tribal council of the tribe having jurisdiction over

1 the reservation or trust land on which the sale is made if all the following conditions
2 are fulfilled:

3 **SECTION 2057m.** 139.362 of the statutes is created to read:

4 **139.362 Bad debt deductions.** (1) In this section, “bad debt” means an
5 amount that is equal to the purchase price of cigarettes, if such amount may be
6 claimed as a deduction under section 166 of the Internal Revenue Code. “Bad debt”
7 does not include financing charges, interest on the wholesale price of cigarettes,
8 uncollectible amounts on property that remains in the seller’s possession until the
9 full purchase price is paid, expenses incurred in attempting to collect any debt, debts
10 sold or assigned to 3rd parties for collection, and repossessed property.

11 (2) A person who pays the taxes imposed under this subchapter may claim as
12 a deduction on a return under s. 139.38, and against the purchase of stamps under
13 s. 139.32, the amount of any such taxes that are attributable to bad debt that the
14 person writes off as uncollectible in the person’s books and records and that is eligible
15 to be deducted as bad debt for federal income tax purposes, regardless of whether the
16 person is required to file a federal income tax return. A person who claims a
17 deduction under this section shall claim the deduction on the return under s. 139.38
18 that is submitted for the period in which the person writes off the amount of the bad
19 debt as uncollectible in the person’s books and records and in which such amount is
20 eligible to be deducted as bad debt for federal income tax purposes. If the person
21 subsequently collects in whole or in part any bad debt for which a deduction is
22 claimed under this section, the person shall submit to the department the portion of
23 the deduction related to the amount collected, in the manner prescribed by the
24 department and for the period in which the amount is collected.

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

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

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

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

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

12 (c).

13 **SECTION 2058.** 139.39 (4) of the statutes is amended to read:

14 139.39 (4) No suit shall be maintained in any court to restrain or delay the
15 collection or payment of the tax levied in s. 139.31. The aggrieved taxpayer shall pay
16 the tax when due and, if paid under protest, may at any time within 90 days from the
17 date of payment, sue the state to recover the tax paid. If it is finally determined that
18 any part of the tax was wrongfully collected, the ~~department~~ secretary of
19 administration shall ~~issue a warrant on the state treasurer for~~ pay the amount
20 wrongfully collected, ~~and the treasurer shall pay the same out of the general fund.~~
21 A separate suit need not be filed for each separate payment made by any taxpayer,
22 but a recovery may be had in one suit for as many payments as may have been made.

23 **SECTION 2058f.** 139.801 of the statutes is created to read:

24 **139.801 Bad debt deductions.** (1) In this section, “bad debt” means an
25 amount that is equal to the purchase price of tobacco products, if such amount may

1 be claimed as a deduction under section 166 of the Internal Revenue Code. “Bad
2 debt” does not include financing charges, interest on the wholesale price of tobacco
3 products, uncollectible amounts on property that remains in the seller’s possession
4 until the full purchase price is paid, expenses incurred in attempting to collect any
5 debt, debts sold or assigned to 3rd parties for collection, and repossessed property.

6 (2) A distributor who pays the taxes imposed under s. 139.76 may claim as a
7 deduction on a return under s. 139.77 the amount of any such taxes that are
8 attributable to bad debt that the distributor writes off as uncollectible in the
9 distributor’s books and records and that is eligible to be deducted as bad debt for
10 federal income tax purposes, regardless of whether the distributor is required to file
11 a federal income tax return. A distributor who claims a deduction under this section
12 shall claim the deduction on the return under s. 139.77 that is submitted for the
13 period in which the distributor writes off the amount of the deduction as uncollectible
14 in the distributor’s books and records and in which such amount is eligible to be
15 deducted as bad debt for federal income tax purposes. If the distributor subsequently
16 collects in whole or in part any bad debt for which a deduction is claimed under this
17 section, the distributor shall include the amount collected in the return filed for the
18 period in which the amount is collected and shall pay the tax with the return.

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

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

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

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

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

5 **SECTION 2059.** 146.185 (1) (i) of the statutes is amended to read:

6 146.185 (1) (i) “State agency” has the meaning given in s. 16.70 ~~(1)~~ (1e).

7 **SECTION 2059g.** 146.185 (3) of the statutes is amended to read:

8 146.185 (3) From the appropriation under s. 20.435 (5) (kb), the department
9 shall annually award ~~up to \$200,000 in~~ grants for activities to improve the health
10 status of economically disadvantaged minority group members. A person may apply,
11 in the manner specified by the department, for a grant of up to \$50,000 in each fiscal
12 year to conduct these activities. An awardee of a grant under this subsection shall
13 provide, for at least 50% of the grant amount, matching funds that may consist of
14 funding or an in-kind contribution. An applicant that is not a federally qualified
15 health center, as defined under 42 CFR 405.2401 (b) shall receive priority for grants
16 awarded under this subsection.

17 **SECTION 2060.** 146.59 (3) (b) of the statutes is amended to read:

18 146.59 (3) (b) Any authorization under par. (a) shall comply with all applicable
19 provisions of subch. V of ch. 111 and ch. 230, any delegation of authority by the
20 ~~department of employment relations~~ office of state human resources management
21 to the board, and any collective bargaining agreement with respect to employees of
22 the board.

23 **SECTION 2061.** 146.65 (1) (a) and (b) of the statutes are amended to read:

24 146.65 (1) (a) ~~In state fiscal year 2001–02, not more than \$618,000 and in fiscal~~
25 ~~year 2002–03~~ each fiscal year, not more than \$232,000, to the rural health dental

1 clinic located in Ladysmith that provides dental services to persons who are
2 developmentally disabled or elderly or who have low income, in the counties of Rusk,
3 Price, Taylor, Sawyer, and Chippewa.

4 (b) In fiscal year ~~2001–02~~, not more than ~~\$294,500~~ and in state fiscal year
5 ~~2002–03~~ each fiscal year, not more than \$355,600, to the rural health dental clinic
6 located in Menomonie that provides dental services to persons who are
7 developmentally disabled or elderly or who have low income, in the counties of
8 Barron, Chippewa, Dunn, Pepin, Pierce, Polk, and St. Croix.

9 **SECTION 2061s.** 146.885 of the statutes is repealed.

10 **SECTION 2062.** 146.93 of the statutes is repealed.

11 **SECTION 2064.** 146.997 (4) (a) of the statutes is amended to read:

12 146.997 (4) (a) ~~Subject to par. (b), any~~ Any employee of a health care facility
13 or health care provider who is subjected to disciplinary action, or who is threatened
14 with disciplinary action, in violation of sub. (3) may file a complaint with the
15 department under s. 106.54 (6). If the department finds that a violation of sub. (3)
16 has been committed, the department may take such action under s. 111.39 as will
17 effectuate the purpose of this section.

18 **SECTION 2065.** 146.997 (4) (b) of the statutes is repealed.

19 **SECTION 2066.** 146.997 (4) (c) of the statutes is amended to read:

20 146.997 (4) (c) Section 111.322 (2m) applies to a disciplinary action arising in
21 connection with any proceeding under par. (a) ~~or (b)~~.

22 **SECTION 2067.** 149.10 (8b) of the statutes is repealed.

23 **SECTION 2068.** 149.14 (5) (e) of the statutes is amended to read:

24 149.14 (5) (e) Subject to sub. (8) (b), the department may, by rule under s. 149.17
25 (4), establish for prescription drug coverage under sub. (3) (d) copayment amounts,

1 coinsurance rates, and copayment and coinsurance out-of-pocket limits over which
2 the plan will pay 100% of covered costs under sub. (3) (d). The department may
3 provide subsidies for prescription drug copayment amounts paid by eligible persons
4 under s. 149.165 (2) (a) 1. to 5. Any copayment amount, coinsurance rate, or
5 out-of-pocket limit established under this paragraph is subject to the approval of the
6 board. Copayments and coinsurance paid by an eligible person under this paragraph
7 are separate from and do not count toward the deductible and covered costs not paid
8 by the plan under pars. (a) to (c).

9 **SECTION 2069.** 149.143 (1) (a) of the statutes is repealed.

10 **SECTION 2070.** 149.143 (1) (b) (intro.) of the statutes is repealed.

11 **SECTION 2071.** 149.143 (1) (b) 1. of the statutes is renumbered 149.143 (1) (am),
12 and 149.143 (1) (am) 1., 2., 3., and 4., as renumbered, are amended to read:

13 149.143 (1) (am) 1. First, from premiums from eligible persons with coverage
14 under s. 149.14 (2) (a) set at a rate that is 140% to 150% of the rate that a standard
15 risk would be charged under an individual policy providing substantially the same
16 coverage and deductibles as are provided under the plan and from eligible persons
17 with coverage under s. 149.14 (2) (b) set in accordance with s. 149.14 (5m), including
18 amounts received for premium ~~and, deductible, and prescription drug copayment~~
19 subsidies under s. 149.144 ~~and under the transfer to the fund from the appropriation~~
20 ~~account under s. 20.435 (4) (ah),~~ and from premiums collected from eligible persons
21 with coverage under s. 149.146 set in accordance with s. 149.146 (2) (b).

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

24 3. Third, by increasing premiums from eligible persons with coverage under s.
25 149.14 (2) (a) to more than the rate at which premiums were set under subd. 1. -a.

1 but not more than 200% of the rate that a standard risk would be charged under an
2 individual policy providing substantially the same coverage and deductibles as are
3 provided under the plan and from eligible persons with coverage under s. 149.14 (2)
4 (b) by a comparable amount in accordance with s. 149.14 (5m), including amounts
5 received for premium ~~and, deductible, and prescription drug copayment~~ subsidies
6 under s. 149.144 and ~~under the transfer to the fund from the appropriation account~~
7 ~~under s. 20.435 (4) (ah)~~, and by increasing premiums from eligible persons with
8 coverage under s. 149.146 in accordance with s. 149.146 (2) (b), to the extent that the
9 amounts under ~~subd. 1. a. subs. 1. and b. 2.~~ are insufficient to pay 60% of plan costs.

10 4. Fourth, notwithstanding ~~subd. 2. par. (bm)~~, by increasing insurer
11 assessments, excluding assessments under s. 149.144, and adjusting provider
12 payment rates, subject to s. 149.142 (1) (b) and excluding adjustments to those rates
13 under s. 149.144, in equal proportions and to the extent that the amounts under
14 ~~subd. 1. a. to e. subs. 1. to 3.~~ are insufficient to pay 60% of plan costs.

15 **SECTION 2072.** 149.143 (1) (b) 2. of the statutes is renumbered 149.143 (1) (bm).

16 **SECTION 2073.** 149.143 (2) (a) (intro.) of the statutes is amended to read:

17 149.143 (2) (a) (intro.) Prior to each plan year, the department shall estimate
18 the operating and administrative costs of the plan and the costs of the premium
19 reductions under s. 149.165 ~~and, the deductible reductions under s. 149.14 (5) (a),~~
20 and any prescription drug copayment reductions under s. 149.14 (5) (e) for the new
21 plan year and do all of the following:

22 **SECTION 2074.** 149.143 (2) (a) 1. a. of the statutes is amended to read:

23 149.143 (2) (a) 1. a. Estimate the amount of enrollee premiums that would be
24 received in the new plan year if the enrollee premiums were set at a level sufficient,
25 when including amounts received for premium ~~and, deductible, and prescription~~

1 ~~drug copayment~~ subsidies under s. 149.144 ~~and under the transfer to the fund from~~
2 ~~the appropriation account under s. 20.435 (4) (ah) and from premiums collected from~~
3 eligible persons with coverage under s. 149.146 set in accordance with s. 149.146 (2)
4 (b), to cover 60% of the estimated plan costs for the new plan year, ~~after deducting~~
5 ~~from the estimated plan costs the amount available for transfer to the fund from the~~
6 ~~appropriation account under s. 20.435 (4) (af) for that plan year.~~

7 **SECTION 2075.** 149.143 (2) (a) 1. b. of the statutes is amended to read:

8 149.143 (2) (a) 1. b. Estimate the amount of enrollee premiums that will be
9 received under sub. (1) ~~(b) 1. a.~~ (am) 1.

10 **SECTION 2076.** 149.143 (2) (a) 2. of the statutes is amended to read:

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

18 **SECTION 2077.** 149.143 (2) (a) 3. of the statutes is amended to read:

19 149.143 (2) (a) 3. By rule set the total insurer assessments under s. 149.13 for
20 the new plan year by estimating and setting the assessments at the amount
21 necessary to equal the amounts specified in sub. (1) ~~(b) 1. d. and 2. a.~~ (am) 4. and (bm)
22 1. and notify the commissioner of the amount.

23 **SECTION 2078.** 149.143 (2) (a) 4. of the statutes is amended to read:

24 149.143 (2) (a) 4. By the same rule as under subd. 3. adjust the provider
25 payment rate for the new plan year, subject to s. 149.142 (1) (b), by estimating and

1 setting the rate at the level necessary to equal the amounts specified in sub. (1) ~~(b)~~
2 ~~1. d. and 2. b. (am) 4. and (bm) 2.~~ and as provided in s. 149.145.

3 **SECTION 2079.** 149.143 (2) (b) of the statutes is amended to read:

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

10 **SECTION 2080.** 149.143 (2m) (a) 1. of the statutes is amended to read:

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

14 **SECTION 2081.** 149.143 (2m) (a) 2. of the statutes is amended to read:

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

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

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

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

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

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

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

20 **SECTION 2085.** 149.144 of the statutes is amended to read:

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

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

12 **SECTION 2086.** 149.145 of the statutes is amended to read:

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

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

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

6 **SECTION 2088.** 149.16 (1) of the statutes is repealed.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

16 **SECTION 2093f.** 153.05 (12) (b) of the statutes is created to read:

17 153.05 (12) (b) The entity under contract under sub. (2m) (a) shall, to the extent
18 possible and upon request, assist members of the public in interpreting data in
19 health care information disseminated by the entity.

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

22 153.05 (13) (a) The department may waive the requirement under sub. (1) (a),
23 (5) (a), or (8) (a) for a health care provider, other than a hospital or ambulatory
24 surgery center, who requests the waiver and presents evidence to the department
25 that the requirement under sub. (1) (a), (5) (a), or (8) (a) is burdensome, under

1 standards established by the department by rule. The department shall develop a
2 form for use by ~~a~~ the health care provider in submitting a request under this
3 subsection paragraph.

4 **SECTION 2094d.** 153.05 (13) (b) of the statutes is created to read:

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

11 **SECTION 2094e.** 153.07 (1) of the statutes is amended to read:

12 153.07 (1) The board shall advise the department with regard to the collection,
13 analysis and dissemination of health care information required of the department
14 by this chapter.

15 **SECTION 2094f.** 153.07 (4) (b) of the statutes is amended to read:

16 153.07 (4) (b) Provide oversight on the standard reports required of the
17 department under this chapter, including the reports report under ss. 153.20 and s.
18 153.21 (1).

19 **SECTION 2094g.** 153.07 (4) (c) of the statutes is amended to read:

20 153.07 (4) (c) Develop the overall strategy and direction for implementation of
21 the department's duties and powers under this chapter.

22 **SECTION 2094h.** 153.08 (5) of the statutes is created to read:

23 153.08 (5) The entity under contract under s. 153.05 (2m) (a) shall annually
24 publish a hospital rate increase report that contains all of the following information:

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

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

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

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

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

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

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

9 153.10 (1) The department shall prepare, and submit to the governor and the
10 chief clerk of each house of the legislature for distribution to the legislature under
11 s. 13.172 (2), standard reports concerning health care providers other than hospitals
12 and ambulatory surgery centers that the department prepares and shall collect
13 information necessary for preparation of those reports.

14 **SECTION 2094j.** 153.10 (2) of the statutes is created to read:

15 153.10 (2) The entity under contract under s. 153.05 (2m) (a) shall prepare, and
16 submit to the governor and the chief clerk of each house of the legislature for
17 distribution to the legislature under s. 13.172 (2), standard reports concerning
18 hospitals and ambulatory surgery centers that the entity prepares and shall collect
19 information necessary for preparation of those reports.

20 **SECTION 2094k.** 153.20 of the statutes is amended to read:

21 **153.20 Uncompensated health care services report.** (1) The ~~department~~
22 entity under contract under s. 153.05 (2m) (a) shall prepare, and submit to the
23 governor and to the chief clerk of each house of the legislature for distribution to the
24 legislature under s. 13.172 (2), an annual report setting forth the number of patients
25 to whom uncompensated health care services were provided by each hospital and the

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

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

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

11 153.21 (1) The department shall prepare and submit to the governor and to the
12 chief clerk of each house of the legislature for distribution to the legislature under
13 s. 13.172 (2) an annual guide to assist consumers in selecting health care providers
14 other than hospitals and ambulatory surgery centers and health care plans. The
15 guide shall be written in language that is understandable to ~~lay persons~~ laypersons.
16 The department shall widely publicize and distribute the guide to consumers.

17 **SECTION 2094m.** 153.21 (2) of the statutes is created to read:

18 153.21 (2) The entity under contract under s. 153.05 (2m) (a) shall prepare and
19 submit to the governor and to the chief clerk of each house of the legislature for
20 distribution to the legislature under s. 13.172 (2) an annual guide to assist
21 consumers in selecting hospitals and ambulatory surgery centers. The guide shall
22 be written in language that is understandable to laypersons and shall include data
23 derived from the annual survey of hospitals conducted by the American Hospital
24 Association and the annual hospital fiscal survey. The entity shall widely publicize
25 and distribute the guide to consumers.