

Handwritten notes: "F" in a circle, "P6", and "KJF".

1 ✓ ✓ **549.** Page 992, line 24: after that line insert:

2 "SECTION 1832b. 77.51 (7h) (b) of the statutes, as created by 2009 Wisconsin
3 Act ... (this act), is repealed and recreated to read:

4 77.51 (7h) (b) "Manufacturing" does not include storing raw materials or
5 finished units of tangible personal property or items or property under s. 77.52 (1)
6 (b) or (c), research or development, delivery to or from the plant, or repairing or
7 maintaining plant facilities."

8 ✓ ✓ **550.** Page 994, line 3: delete lines 3 to 5.

9 ✓ ✓ **551.** Page 994, line 5: after that line insert:

Handwritten note: "OK" with an arrow pointing to the text below.

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10 "SECTION 1835dg. 77.51 (12m) (b) 9. of the statutes, as created by 2009
11 Wisconsin Act ... (this act), is repealed.

12 " SECTION 1835dr. 77.51 (12m) (b) 10. of the statutes is created to read:

13 77.51 (12m) (b) 10. The surcharges imposed under s. 256.35 (3g) (a) 1. and 2.
14 a."

15 ✓ ✓ **552.** Page 995, line 25: delete the material beginning with that line and
16 ending with page 996, line 2.

17 ✓ **553.** Page 996, line 2: after that line insert:

Handwritten note: "OK"

Handwritten note: "ccc"

18 "SECTION 1836eg. 77.51 (15b) (b) 9. of the statutes, as created by 2009
19 Wisconsin Act ... (this act), is repealed."

20 " SECTION 1836er. 77.51 (15b) (b) 10. of the statutes is created to read:

21 77.51 (15b) (b) 10. The surcharges imposed under s. 256.35 (3g) (a) 1. and 2.
22 a."

23 ✓ ✓ **554.** Page 1008, line 25: after "under s." insert "59.58 (7), 66.1038, or".

24 ✓ **555.** Page 1010, line 11: after that line insert:

1 "SECTION 1849w. 77.54 (37) of the statutes, as affected by 2009 Wisconsin Act
2 2, is amended to read:

3 77.54 (37) The sales price from revenues collected under ~~s. 256.35 (3)~~ and the
4 surcharge established by rule by the public service commission under s. 256.35 (3m)
5 (f) for customers of wireless providers, as defined in s. 256.35 (3m) (a) 6."

6 ✓ ✓ **556.** Page 1011, line 17: after that line insert:

7 "SECTION 1850eb. 77.54 (55) of the statutes is created to read:

8 77.54 (55) The sales price from the police and fire protection fee imposed under
9 s. 196.025 (6). ~~196.025 (6)~~

ccc
ccc
ccc

10 ✓ **557.** Page 1011, line 17: after that line insert:

11 "SECTION 1850ed. 77.54 (56) of the statutes, as created by 2007 Wisconsin Act
12 20, is amended to read:

13 77.54 (56) (a) The Beginning July 1, 2011, the gross receipts from the sale of
14 and the storage, use, or other consumption of a product whose power source is wind
15 energy, direct radiant energy received from the sun, or gas generated from anaerobic
16 digestion of animal manure and other agricultural waste, if the product produces at
17 least 200 watts of alternating current or 600 British thermal units per day, except
18 that the exemption under this subsection does not apply to an uninterruptible power
19 source that is designed primarily for computers.

20 (b) Except for the sale of electricity or energy that is exempt from taxation
21 under sub. (30), beginning on July 1, 2011, the gross receipts from the sale of and the
22 storage, use, or other consumption of electricity or energy produced by a product
23 described under par. (a).

~~SECTION 1850ee. 77.54 (55) of the
statutes, as created by 2009 Wisconsin Act
A... A (this act), is repealed."~~

← NO
CCC-CCC
do not
create this

1 **SECTION 1850ef.** 77.54 (56) of the statutes, as affected by 2009 Wisconsin Acts
2 2 and ... (this act), is repealed and recreated to read:

3 77.54 **(56)** (a) Beginning July 1, 2011, the sales price from the sale of and the
4 storage, use, or other consumption of a product whose power source is wind energy,
5 direct radiant energy received from the sun, or gas generated from anaerobic
6 digestion of animal manure and other agricultural waste, if the product produces at
7 least 200 watts of alternating current or 600 British thermal units per day, except
8 that the exemption under this subsection does not apply to an uninterruptible power
9 source that is designed primarily for computers.

10 (b) Except for the sale of electricity or energy that is exempt from taxation
11 under sub. (30), beginning on July 1, 2011, the sales price from the sale of and the
12 storage, use, or other consumption of electricity or energy produced by a product
13 described under par. (a).”.

14 ✓ ✓ **558.** Page 1011, line 19: after that line insert:

15 “1d. “Animals” include bacteria, viruses, and other microorganisms.”.

16 ✓ ✓ **559.** Page 1011, line 20: delete “1.” and substitute “1f.”.

17 ✓ ✓ **560.** Page 1012, line 2: after that line insert:

18 “1m. “Biotechnology business” means a business, as certified by the
19 department in the manner prescribed by the department, that is primarily engaged
20 in the application of biotechnologies that use a living organism or parts of an
21 organism to produce or modify products to improve plants or animals, develop
22 microorganisms for specific uses, identify targets for small molecule pharmaceutical
23 development, or transform biological systems into useful processes and products.”.

24 ✓ ✓ **561.** Page 1012, line 4: delete that line.

1 ✓ / **562.** Page 1012, line 19: after that line insert:

2 “3. Machines and specific processing equipment, including accessories,
3 attachments, and parts for the machines or equipment, that are used exclusively and
4 directly in raising animals that are sold primarily to a biotechnology business, a
5 public or private institution of higher education, or a governmental unit for exclusive
6 and direct use by any such entity in qualified research or manufacturing.

7 4. The items listed in sub. (3m) (a) to (m), medicines, semen for artificial
8 insemination, fuel, and electricity that are used exclusively and directly in raising
9 animals that are sold primarily to a biotechnology business, a public or private
10 institution of higher education, or a governmental unit for exclusive and direct use
11 by any such entity in qualified research or manufacturing.”

12 ✓ **563.** Page 1020, line 10: after that line insert:

13 “ **SECTION 18560** ^د 77.70 (4) of the statutes is created to read:

14 77.70 (4) Burnett County may adopt an ordinance to increase the rate of the
15 tax imposed under sub. (1) from 0.5 percent to 1 percent, if the majority of the electors
16 of the county approve the increase at a referendum. The county may use the
17 additional revenue from the rate increase only to pay for an upgrade to radio towers
18 in order to satisfy federal communications commission requirements to update a
19 radio frequency with a narrow bandwidth no later than December 31, 2012. An
20 ordinance adopted under this subsection shall be effective on the first day of January,
21 the first day of April, the first day of July or the first day of October. A certified copy
22 of that ordinance shall be delivered to the secretary of revenue at least 120 days prior
23 to its effective date. The repeal of any such ordinance shall be effective on December
24 31. A certified copy of a repeal ordinance shall be delivered to the secretary of

1 revenue at least 120 days before the effective date of the repeal. The tax imposed
2 under this subsection may be in effect for no more than 3 years from the date on which
3 the ordinance imposing the tax takes effect.”.

4 ✓ ✓ **564.** Page 1020, line 10: after that line insert:

5 “**SECTION 1856d.** 77.70 of the statutes is renumbered 77.70 (1) and amended
6 to read:

7 77.70 (1) Any county desiring to impose county sales and use taxes under this
8 subchapter may do so by the adoption of an ordinance, stating its purpose and
9 referring to this subchapter. The rate of the tax imposed under this subsection is 0.5
10 percent of the gross receipts or sales price. The county sales and use taxes may be
11 imposed only for the purpose of directly reducing the property tax levy and only in
12 their entirety as provided in this subchapter. That ordinance shall be effective on the
13 first day of January, the first day of April, the first day of July or the first day of
14 October. A certified copy of that ordinance shall be delivered to the secretary of
15 revenue at least 120 days prior to its effective date. The repeal of any such ordinance
16 shall be effective on December 31. A certified copy of a repeal ordinance shall be
17 delivered to the secretary of revenue at least 60 days before the effective date of the
18 repeal.

19 **SECTION 1856e.** 77.70 (1) of the statutes, as affected by Wisconsin Acts 2 and
20 (this act), is repealed and recreated to read:

21 77.70 (1) Any county desiring to impose county sales and use taxes under this
22 subchapter may do so by the adoption of an ordinance, stating its purpose and
23 referring to this subchapter. The rate of the tax imposed under this subsection is 0.5
24 percent of the sales price or purchase price. The county sales and use taxes may be

1 imposed only for the purpose of directly reducing the property tax levy and only in
2 their entirety as provided in this subchapter. That ordinance shall be effective on the
3 first day of January, the first day of April, the first day of July or the first day of
4 October. A certified copy of that ordinance shall be delivered to the secretary of
5 revenue at least 120 days prior to its effective date. The repeal of any such ordinance
6 shall be effective on December 31. A certified copy of a repeal ordinance shall be
7 delivered to the secretary of revenue at least 120 days before the effective date of the
8 repeal.

9 **SECTION 1856f.** 77.70 (2) of the statutes is created to read:

10 77.70 (2) In addition to the taxes imposed under subs. (1) and (3), if Milwaukee
11 County satisfies the conditions under s. 66.1038 (5) (b), Milwaukee County may
12 adopt an ordinance to impose a sales and use tax under this subchapter at the rate
13 of 0.5 percent of the gross receipts or sales price. The taxes may be imposed only in
14 their entirety. If Milwaukee County imposes the taxes under this subsection, it shall
15 not levy property taxes for transit purposes. If Milwaukee County imposes the taxes
16 under this subsection, it shall distribute the tax revenue to the Milwaukee Transit
17 Authority created under s. 66.1038. An ordinance adopted under this subsection
18 shall be effective on the first day of January, the first day of April, the first day of July
19 or the first day of October. A certified copy of that ordinance shall be delivered to the
20 secretary of revenue at least 120 days prior to its effective date. The repeal of any
21 such ordinance shall be effective on December 31. A certified copy of a repeal
22 ordinance shall be delivered to the secretary of revenue at least 120 days before the
23 effective date of the repeal.

24 **SECTION 1856g.** 77.70 (2) of the statutes, as created by 2009 Wisconsin Act ...
25 (this act), is repealed and recreated to read:

1 77.70 (2) In addition to the taxes imposed under subs. (1) and (3), if the
2 Milwaukee County satisfies the conditions under s. 66.1038 (5) (b), Milwaukee
3 County may adopt an ordinance to impose a sales and use tax under this subchapter
4 at the rate of 0.5 percent of the sales price or purchase price. The taxes may be
5 imposed only in their entirety. If Milwaukee County imposes the taxes under this
6 subsection, it shall not levy property taxes for transit purposes. If Milwaukee County
7 imposes the taxes under this subsection, it shall distribute the tax revenue to the
8 Milwaukee Transit Authority created under s. 66.1038. An ordinance adopted under
9 this subsection shall be effective on the first day of January, the first day of April, the
10 first day of July or the first day of October. A certified copy of that ordinance shall
11 be delivered to the secretary of revenue at least 120 days prior to its effective date.
12 The repeal of any such ordinance shall be effective on December 31. A certified copy
13 of a repeal ordinance shall be delivered to the secretary of revenue at least 120 days
14 before the effective date of the repeal.

15 **SECTION 1856h.** 77.70 (3) of the statutes is created to read:

16 77.70 (3) If Milwaukee County imposes the tax under sub. (2), Milwaukee
17 County may adopt an ordinance to impose a sales and use tax under this subchapter
18 at the rate of 0.15 percent of the gross receipts or sales price. The taxes may be
19 imposed only in their entirety. Milwaukee County shall annually distribute the tax
20 revenue to the municipalities located in whole or in part in Milwaukee County, to be
21 used for police, fire, and emergency medical services, in proportion to the number of
22 sworn police officers and fire fighters employed by each municipality on July 1 of the
23 preceding calendar year. An ordinance adopted under this subsection shall be
24 effective on the first day of January, the first day of April, the first day of July or the
25 first day of October. A certified copy of that ordinance shall be delivered to the

1 secretary of revenue at least 120 days prior to its effective date. The repeal of any
2 such ordinance shall be effective on December 31. A certified copy of a repeal
3 ordinance shall be delivered to the secretary of revenue at least 120 days before the
4 effective date of the repeal.

5 **SECTION 1856i.** 77.70 (3) of the statutes, as created by 2009 Wisconsin Act
6 (this act), is repealed and recreated to read:

7 77.70 (3) If Milwaukee County imposes the tax under sub. (2), Milwaukee
8 County may adopt an ordinance to impose a sales and use tax under this subchapter
9 at the rate of 0.15 percent of the sales price or purchase price. The taxes may be
10 imposed only in their entirety. Milwaukee County shall annually distribute the tax
11 revenue to the municipalities located in whole or in part in Milwaukee County, to be
12 used for police, fire, and emergency medical services, in proportion to the number of
13 sworn police officers and fire fighters employed by each municipality on July 1 of the
14 preceding calendar year. An ordinance adopted under this subsection shall be
15 effective on the first day of January, the first day of April, the first day of July or the
16 first day of October. A certified copy of that ordinance shall be delivered to the
17 secretary of revenue at least 120 days prior to its effective date. The repeal of any
18 such ordinance shall be effective on December 31. A certified copy of a repeal
19 ordinance shall be delivered to the secretary of revenue at least 120 days before the
20 effective date of the repeal.”.

21 ✓ / **565.** Page 1021, line 15: delete the material beginning with “, or 1.0” and
22 ending with “(2) (a),” on line 16.

23 ✓ / **566.** Page 1022, line 18: delete “rate of 0.5%” and substitute “rate of 0.5%
24 rates under s. 77.70”.

1 jurisdictional area, except that if the contractor has paid the sales tax of a county,
2 transit authority, or special district in this state on that tangible personal property,
3 item, property, or good, or has paid a similar local sales tax in another state on a
4 purchase of the same tangible personal property, item, property, or good, that tax
5 shall be credited against the tax under this subsection.

6 **SECTION 1863.** 77.71 (4) of the statutes is amended to read:

7 77.71 (4) An excise tax is imposed at the rate of 0.5 percent rates under s. 77.70
8 in the case of a county tax, at the rate under s. 77.708 in the case of a transit authority
9 tax, or at the rate under s. 77.705 or 77.706 in the case of a special district tax of the
10 sales price upon every person storing, using or otherwise consuming a motor vehicle,
11 boat, snowmobile, recreational vehicle, as defined in s. 340.01 (48r), trailer,
12 semitrailer, all-terrain vehicle or aircraft, if that property must be registered or
13 titled with this state and if that property is to be customarily kept in a county that
14 has in effect an ordinance under s. 77.70, the jurisdictional area of a transit authority
15 that has in effect a resolution under s. 77.708, or in a special district that has in effect
16 a resolution under s. 77.705 or 77.706, except that if the buyer has paid a similar local
17 sales tax in another state on a purchase of the same property that tax shall be
18 credited against the tax under this subsection.

19 **SECTION 1863d.** 77.71 (4) of the statutes, as affected by 2009 Wisconsin Acts
20 2 and (this act), is repealed and recreated to read:

21 **77.71 (4)** An excise tax is imposed at the rates under s. 77.70 in the case of a
22 county tax, at the rate under s. 77.708 in the case of a transit authority tax, or at the
23 rate under s. 77.705 or 77.706 in the case of a special district tax of the purchase price
24 upon every person storing, using, or otherwise consuming a motor vehicle, boat,
25 recreational vehicle, as defined in s. 340.01 (48r), or aircraft, if that property must

- 1 ✓ ✓ **567.** Page 1023, line 6: delete “rate of 0.5 percent” and substitute “rates under
2 s. 77.70”.
- 3 ✓ ✓ **568.** Page 1023, line 16: delete “rate of 0.5%” and substitute “rate of 0.5%
4 rates under s. 77.70”.
- 5 ✓ ✓ **569.** Page 1024, line 7: delete “rate of 0.5 percent” and substitute “rates under
6 s. 77.70”.
- 7 ✓ ✓ **570.** Page 1025, line 1: delete “rate of 0.5%” and substitute “rate of 0.5% rates
8 under s. 77.70”.
- 9 ✓ ✓ **571.** Page 1025, line 15: delete “rate of 0.5 percent” and substitute “rates
10 under s. 77.70”.
- 11 ✓ ✓ **572.** Page 1026, line 2: delete “rate of 0.5 percent” and substitute “rate of 0.5
12 percent rates under s. 77.70”.
- 13 ✓ ✓ **573.** Page 1026, line 16: delete “rate of 0.5 percent” and substitute “rates
14 under s. 77.70”.
- 15 ✓ ✓ **574.** Page 1036, line 19: delete “REGIONAL TRANSIT KRM” and substitute
16 “SOUTHEASTERN REGIONAL TRANSIT”.
- 17 ✓ ✓ **575.** Page 1036, line 23: delete “~~A regional transit~~ The KRM” and substitute
18 “~~A~~ The southeastern regional transit”.
- 19 ✓ ✓ **576.** Page 1036, line 24: delete “\$16” and substitute “\$18”.
- 20 ✓ ✓ **577.** Page 1037, line 7: delete the material beginning with “regional” and
21 ending with “KRM” on line 8 and substitute “southeastern regional transit”.
- 22 ✓ ✓ **578.** Page 1037, line 13: on lines 13 and 20, delete “KRM” and substitute
23 “southeastern regional transit”.

- 1 ✓ ✓ **579.** Page 1038, line 1: on lines 1, 8, 9, 17 and 18, delete "KRM" and substitute
2 "southeastern regional transit".
- 3 ✓ ✓ **580.** Page 1038, line 22: delete the material beginning with that line and
4 ending with page 1042, line 10.
- 5 ✓ ✓ **581.** Page 1044, line 2: delete that line and substitute "appropriation
6 accounts under s. 20.835 (1) (q) and (r) in an amount determined under sub. (2).".
- 7 ✓ ✓ **582.** Page 1046, line 22: delete "and (q)" and substitute ", (q), and (r)".
- 8 ✓ ✓ **583.** Page 1047, line 16: delete "zero" and substitute "3 percent".
- 9 ✓ ✓ **584.** Page 1048, line 8: after "revenue" insert " to include only emergency
10 services funded from payments received under ss. 79.035 and 79.043".
- 11 ✓ ✓ **585.** Page 1048, line 10: after "expenses" insert "and capital expenditures".
- 12 ✓ ✓ **586.** Page 1048, line 12: after "expenses" insert "and capital expenditures".
- 13 ✓ ✓ **587.** Page 1048, line 16: after "services" insert "and to ensure that excluding
14 one-time expenses and capital expenditures as provided in sub. (1) does not
15 compromise the level of service for providing emergency services".
- 16 ✓ ✓ **588.** Page 1053, line 1: after "2010" insert ", and \$150,000,000 in 2011".
- 17 ✓ ✓ **589.** Page 1053, line 1: delete "and \$130,000,000" and substitute ",
18 \$145,000,000".
- 19 ✓ ✓ **590.** Page 1053, line 3: delete lines 3 to 9.
- 20 ✓ ✓ **591.** Page 1053, line 14: after "than" insert "65 percent of".
- 21 ✓ ✓ **592.** Page 1053, line 19: after that line insert:
22 "SECTION 1918^gpb. 84.01 (35) of the statutes is created to read:

1 84.01 **(35)** (a) In this subsection:

2 1. "Bikeway" has the meaning given in s. 84.60 (1) (a).

3 2. "Pedestrian way" has the meaning given in s. 346.02 (8) (a).

4 (b) Except as provided in par. (c), and notwithstanding any other provision of
5 this chapter or ch. 82, 83, or 85, the department shall ensure that bikeways and
6 pedestrian ways are established in all new highway construction and reconstruction
7 projects funded in whole or in part from state funds or federal funds appropriated
8 under s. 20.395 or 20.866.

9 (c) The department shall promulgate rules identifying exceptions to the
10 requirement under par. (b), but these rules may provide for an exception only if any
11 of the following apply:

12 1. Bicyclists or pedestrians are prohibited by law from using the highway that
13 is the subject of the project.

14 2. The cost of establishing bikeways or pedestrian ways would be excessively
15 disproportionate to the need or probable use of the bikeways or pedestrian ways. For
16 purposes of this subdivision, cost is excessively disproportionate if it exceeds 20
17 percent of the total project cost. The rules may not allow an exception under this
18 subdivision to be applied unless the secretary of transportation, or a designee of the
19 secretary who has knowledge of the purpose and value of bicycle and pedestrian
20 accommodations, reviews the applicability of the exception under this subdivision to
21 the particular project at issue.

22 3. Establishing bikeways or pedestrian ways would have excessive negative
23 impacts in a constrained environment.

24 4. There is an absence of need for the bikeways or pedestrian ways, as indicated
25 by sparsity of population, traffic volume, or other factors.

1 5. The community where pedestrian ways are to be located refuses to accept an
2 agreement to maintain them.”.

3 ✓ **593.** Page 1053, line 19: after that line insert:

4 **“SECTION 1918gq.** 84.01 (34) of the statutes is created to read:

5 84.01 **(34)** FARMLAND PRESERVATION EXEMPTION. Chapter 91 and ordinances
6 adopted, rules promulgated, and agreements entered into under that chapter apply
7 to the department only with respect to buildings, structures, and facilities to be used
8 for administrative or operating functions, including buildings, land, and equipment
9 to be used for the motor vehicle emission inspection and maintenance program under
10 s. 110.20.”.

11 ✓ **594.** Page 1054, line 24: after that line insert:

12 **“SECTION 1918L.** 84.013 (3m) (i) of the statutes is created to read:

13 84.013 **(3m)** (i) In conjunction with the resurfacing project on STH 102, the
14 department shall construct a bicycle and pedestrian path and bridge, including
15 lighting, along STH 102 from State Road to Fayette Avenue in the village of Rib Lake
16 in Taylor County if the village contributes at least \$60,000 to the cost of the bicycle
17 and pedestrian path project.”.

18 ✓ **595.** Page 1055, line 7: after that line insert:

19 **“SECTION 1919g.** 84.016 of the statutes is created to read:

20 **84.016 Major interstate bridge projects.** (1) In this section, “major
21 interstate bridge project” means a project involving the construction or
22 reconstruction of a bridge on the state trunk highway system, including approaches,
23 that crosses a river forming a boundary of the state and for which this state’s
24 estimated cost share is at least \$100,000,000.

1 (2) Notwithstanding ss. 84.013, 84.51, 84.52, 84.53, 84.555, and 84.95, but
2 subject to sub. (3) and s. 86.255, this state's share of costs for any major interstate
3 bridge project, including preliminary design work for the project, may be funded only
4 from the appropriations under ss. 20.395 (3) (dq), (dv), and (dx) and 20.866 (2) (ugm).

5 (3) The department may not encumber or expend any funds from the
6 appropriation under s. 20.866 (2) (ugm) for any major interstate bridge project unless
7 this state receives federal funds that are designated by the federal government
8 specifically for a major interstate bridge project covering at least \$75,000,000 of the
9 state's share of the cost of the project.”.

10 ✓ ✓ **596.** Page 1057, line 23: delete the material beginning with that line and
11 ending with page 1058, line 22.

12 ✓ ✓ **597.** Page 1061, line 13: after that line insert:

13 “**SECTION 1928b.** 85.022 (2) (c) of the statutes is created to read:

14 85.022 (2) (c) If the department considers a high-speed rail route between the
15 cities of Milwaukee and Madison, the department shall include in its consideration
16 a study of the feasibility of including a stop in the city of Waterloo in Jefferson
17 County.”.

18 ✓ ✓ **598.** Page 1062, line 6: after “is” insert “renumbered 85.026 (2) (a) and”.

19 ✓ ✓ **599.** Page 1062, line 7: before “The” insert “(a)”.

20 ✓ ✓ **600.** Page 1062, line 13: delete “bicycles” and substitute “bicycle”.

21 ✓ **601.** Page 1062, line 14: after that line insert:

22 “**SECTION 1928k.** 85.026 (2) (b) of the statutes is created to read:

23 85.026 (2) (b) The department shall allocate at least 70 percent of funds
24 available from the appropriation under s. 20.395 (2) (nx) for grants awarded for

1 transportation enhancement activities involving bicycle and pedestrian facilities
2 eligible for assistance under s. 85.024 (2).”.

3 ✓ ✓ **602.** Page 1063, line 7: delete “KRM” and substitute “southeastern regional
4 transit”.

5 ✓ ✓ **603.** Page 1063, line 17: after that line insert:

6 “(am) The project is for the installation or maintenance of warning devices at
7 railroad highway crossings.”.

8 ✓ ✓ **604.** Page 1064, line 6: delete the material beginning with “transit” and
9 ending with “(a)” on line 7 and substitute “Milwaukee Transit Authority under s.
10 66.1038”.

11 ✓ ✓ **605.** Page 1064, line 7: delete “KRM” and substitute “southeastern regional
12 transit”.

13 ✓ ✓ **606.** Page 1096, line 16: delete “A farmland” and substitute “Except as
14 provided in s. 84.01 (34), a farmland”.

15 ✓ ✓ **607.** Page 1097, line 9: delete “A farmland” and substitute “Except as
16 provided in s. 84.01 (34), a farmland”.

17 ✓ ✓ **608.** Page 1120, line 22: delete the material beginning with that line and
18 ending with page 1121, line 18.

19 ✓ ✓ **609.** Page 1142, line 9: after “fee.” insert “The department may not
20 promulgate a rule under this section requiring a person operating a plant where
21 animals are slaughtered to pay a fee based on the number of animals slaughtered.”.

22 ✓ ✓ **610.** Page 1166, line 11: after that line insert:

23 “SECTION 2186f. 103.457 of the statutes is amended to read:

1 **103.457 Listing deductions from wages.** An employer shall state clearly
2 on the employee's pay check, pay envelope, or paper accompanying the wage
3 payment the amount of and reason for each deduction from the wages due or earned
4 by the employee, except such miscellaneous deductions as may have been authorized
5 by request of the individual employee for reasons personal to the employee. A
6 reasonable coding system may be used by the employer. If the department finds that
7 an employer has failed to state that information clearly as required under this
8 section, the department may order the employer to pay the employee, as liquidated
9 damages, not less than \$50 nor more than \$500 for each violation."

10 **611.** Page 1166, line 11: after that line insert:

11 **"SECTION 2186t.** 103.49 (1) (a) of the statutes is amended to read:

12 103.49 (1) (a) "Area" means the county in which a proposed project of public
13 works that is subject to this section is located or, if the department determines that
14 there is insufficient wage data in that county, "area" means those counties that are
15 contiguous to that county or, if the department determines that there is insufficient
16 wage data in those counties, "area" means those counties that are contiguous to those
17 counties or, if the department determines that there is insufficient wage data in those
18 counties, "area" means the entire state or, if the department is requested to review
19 a determination under sub. (3) (c), "area" means the city, village, or town in which
20 a proposed project of public works that is subject to this section is located.

21 **SECTION 2186v.** 103.49 (1) (bg) of the statutes is amended to read:

22 103.49 (1) (bg) "Insufficient wage data" means less than 500 hours of work
23 performed in a particular trade or occupation on projects that are similar to a
24 proposed project of public works that is subject to this section.

1 **SECTION 2186x.** 103.49 (1) (bj) of the statutes is created to read:

2 103.49 (1) (bj) "Minor service and maintenance work" means a project of public
3 works that is limited to minor crack filling, chip or slurry sealing, or other minor
4 pavement patching, not including overlays, that has a projected life span of no longer
5 than 5 years cleaning of drainage or sewer ditches or structures; or any other limited,
6 minor work on public facilities or equipment that is routinely performed to prevent
7 breakdown or deterioration."

8 ✓ **612.** Page 1166, line 11: after that line insert:

9 (9) **"SECTION 2186f.** 103.49 (1) (am) of the statutes is created to read:

10 103.49 (1) (am) "Bona fide economic benefit" means an economic benefit for
11 which an employer makes irrevocable contributions to a trust or fund created under
12 29 USC 186 (c) or to any other bona fide plan, trust, program, or fund no less often
13 than quarterly or, if an employer makes annual contributions to such a bona fide
14 plan, trust, program, or fund, for which the employer irrevocably escrows moneys at
15 least quarterly based on the employer's expected annual contribution."

16 ✓ **613.** Page 1166, line 12: after that line insert:

17 **"SECTION 2187f.** 103.49 (1) (d) 1. of the statutes is amended to read:

18 103.49 (1) (d) 1. Except as provided in subd. 2., "prevailing wage rate" for any
19 trade or occupation engaged in the erection, construction, remodeling, repairing ~~or~~,
20 demolition, or improvement of any project of public works in any area means the
21 hourly basic rate of pay, plus the hourly contribution for health insurance benefits,
22 vacation benefits, pension benefits, and any other bona fide economic benefit, paid
23 directly or indirectly for a majority of the hours worked in the trade or occupation on
24 projects in the area.

1 **SECTION 2187h.** 103.49 (1) (d) 2. of the statutes is amended to read:

2 103.49 (1) (d) 2. If there is no rate at which a majority of the hours worked in
3 the trade or occupation on projects in the area is paid, “prevailing wage rate” for any
4 trade or occupation engaged in the erection, construction, remodeling, repairing or,
5 demolition, or improvement of any project of public works in any area means the
6 average hourly basic rate of pay, weighted by the number of hours worked, plus the
7 average hourly contribution, weighted by the number of hours worked, for health
8 insurance benefits, vacation benefits, pension benefits, and any other bona fide
9 economic benefit, paid directly or indirectly for all hours worked at the hourly basic
10 rate of pay of the highest-paid 51% of hours worked in that trade or occupation on
11 projects in that area.

12 **SECTION 2187j.** 103.49 (1) (dm) of the statutes is created to read:

13 103.49 (1) (dm) “Project of public works” means a project involving the erection,
14 construction, repair, remodeling, demolition, or improvement, including any
15 alteration, painting, decorating, or grading, of a public facility, including land, a
16 building, or other infrastructure.”.

17 ✓ / **614.** Page 1166, line 13: after that line insert:

18 **SECTION 2188e.** 103.49 (1) (f) of the statutes is amended to read:

19 103.49 (1) (f) “State agency” means any office, department, independent
20 agency, institution of higher education, association, society or other body in state
21 government created or authorized to be created by the constitution or any law,
22 including the legislature and the courts. “State agency” also includes a state public
23 body and corporate created by constitution, statute, rule, or order, including

1 specifically the University of Wisconsin Hospitals and Clinics Authority, the Fox
2 River Navigational System Authority, and the Wisconsin Aerospace Authority.

3 **SECTION 2188f.** 103.49 (1) (fm) of the statutes is created to read:

4 103.49 (1) (fm) "Supply and installation contract" means a contract under
5 which the material is installed by the supplier, the material is installed by means of
6 simple fasteners or connectors such as screws or nuts and bolts and no other work
7 is performed on the site of the project of public works, and the total labor cost to
8 install the material does not exceed 20 percent of the total cost of the contract."

9 ✓ ✓ **615.** Page 1166, line 16: delete "remodeled, repaired, or demolished" and
10 substitute "repaired, remodeled, demolished, or improved".

11 ✓ **616.** Page 1166, line 18: after that line insert:

12 "(a) A project erected, constructed, repaired, remodeled, demolished, or
13 improved by one state agency for another state agency under any contract or under
14 any statute specifically authorizing cooperation between state agencies."

15 ✓ ✓ **617.** Page 1166, line 19: delete that line and substitute:

16 "(b) A project in which the completed facility is leased,".

17 ✓ ✓ **618.** Page 1166, line 21: delete "construction of the building" and substitute
18 "erection, construction, repair, remodeling, demolition, or improvement of the
19 facility".

20 ✓ **619.** Page 1166, line 22: delete "(b) A road, street, sanitary sewer," and
21 substitute:

22 "(c) A "sanitary sewer".

1 ✓ **620.** Page 1166, line 23: delete that line and substitute “sanitary sewer or
 2 water main is acquired by, or dedicated to, the state for ownership or maintenance
 3 by”.

CCC4 ✓ **621.** Page 1167, line 2: delete “or demolition” and substitute “~~demolition, or~~
 KJF5 improvement”.

6 ✓ **622.** Page 1167, line 15: after “a project” insert “of public works”.

7 ✓ **623.** Page 1167, line 23: after that line insert:

8 “SECTION 2188k. 103.49 (2m) (a) 1. of the statutes is amended to read:

9 103.49 (2m) (a) 1. All laborers, workers, mechanics, and truck drivers
 10 employed on the site of a project of public works that is subject to this section.

11 SECTION 2188m. 103.49 (2m) (a) 2. of the statutes is amended to read:

12 103.49 (2m) (a) 2. All laborers, workers, mechanics, and truck drivers
 13 employed in the manufacturing or furnishing of materials, articles, supplies, or
 14 equipment on the site of a project of public works that is subject to this section or from
 15 a facility dedicated exclusively, or nearly so, to a project of public works that is subject
 16 to this section by a contractor, subcontractor, agent, or other person performing any
 17 work on the site of the project.

18 SECTION 2188p. 103.49 (2m) (b) 1. of the statutes is amended to read:

19 103.49 (2m) (b) 1. The laborer, worker, mechanic, or truck driver is employed
 20 to go to the source of mineral aggregate such as sand, gravel, or stone that is to be
 21 immediately incorporated into the work, and not stockpiled or further transported
 22 by truck, pick up that mineral aggregate, and deliver that mineral aggregate to the
 23 site of a project of public works that is subject to this section by depositing the

1 material substantially in place, directly or through spreaders from the transporting
2 vehicle.

3 **SECTION 2188r.** 103.49 (2m) (b) 2. of the statutes is amended to read:

4 103.49 (2m) (b) 2. The laborer, worker, mechanic, or truck driver is employed
5 to go to the site of a project that is subject to this section, pick up excavated material
6 or spoil from the site of the project of public works and transport that excavated
7 material or spoil away from the site of the project.”.

8 **624.** Page 1167, line 24: delete the material beginning with that line and
9 ending with page 1168, line 21.

10 **625.** Page 1168, line 21: after that line insert:

11 **“SECTION 2188v.** 103.49 (3) (am) of the statutes is amended to read:

12 103.49 (3) (am) The department shall, by January 1 of each year, compile the
13 prevailing wage rates for each trade or occupation in each area. The compilation
14 shall, in addition to the current prevailing wage rates, include future prevailing
15 wage rates when those prevailing wage rates can be determined for any trade or
16 occupation in any area and shall specify the effective date of those future prevailing
17 wage rates. If a construction project of public works extends into more than one area
18 there shall be but one standard of prevailing wage rates for the entire project.”.

19 **626.** Page 1169, line 3: after that line insert:

20 **“SECTION 2189v.** 103.49 (3) (c) of the statutes is amended to read:

21 103.49 (3) (c) In addition to the recalculation under par. (b), the state agency
22 that requested the determination under this subsection may request a review of any
23 portion of a determination within 30 days after the date of issuance of the
24 determination if the state agency submits evidence with the request showing that

1 the prevailing wage rate for any given trade or occupation included in the
2 determination does not represent the prevailing wage rate for that trade or
3 occupation in the city, village, or town in which the proposed project of public works
4 is located. That evidence shall include wage rate information for the contested trade
5 or occupation on at least 3 similar projects located in the city, village, or town where
6 the proposed project of public works is located on which some work has been
7 performed during the current survey period and which were considered by the
8 department in issuing its most recent compilation under par. (am). The department
9 shall affirm or modify the determination within 15 days after the date on which the
10 department receives the request for review.”.

11 **627.** Page 1169, line 16: delete lines 16 and 17 and substitute:

12 “**SECTION 2190j.** 103.49 (3g) (c) of the statutes is created to read:

13 103.49 (3g) (c) Minor service or maintenance work, warranty work, or work
14 under a supply and installation contract.

15 **SECTION 2190n.** 103.49 (4r) (b) of the statutes is amended to read:

16 103.49 (4r) (b) Upon completion of a project of public works and before
17 receiving final payment for his or her work on the project, each agent or
18 subcontractor shall furnish the contractor with an affidavit stating that the agent
19 or subcontractor has complied fully with the requirements of this section. A
20 contractor may not authorize final payment until the affidavit is filed in proper form
21 and order.

22 **SECTION 2190p.** 103.49 (4r) (c) of the statutes is amended to read:

23 103.49 (4r) (c) Upon completion of a project of public works and before receiving
24 final payment for his or her work on the project, each contractor shall file with the

1 state agency authorizing the work an affidavit stating that the contractor has
2 complied fully with the requirements of this section and that the contractor has
3 received an affidavit under par. (b) from each of the contractor's agents and
4 subcontractors. A state agency may not authorize a final payment until the affidavit
5 is filed in proper form and order. If a state agency authorizes a final payment before
6 an affidavit is filed in proper form and order or if the department determines, based
7 on the greater weight of the credible evidence, that any person performing the work
8 specified in sub. (2m) has been or may have been paid less than the prevailing wage
9 rate or less than 1.5 times the hourly basic rate of pay for all hours worked in excess
10 of the prevailing hours of labor and requests that the state agency withhold all or part
11 of the final payment, but the state agency fails to do so, the state agency is liable for
12 all back wages payable up to the amount of the final payment.

13 **SECTION 2191d.** 103.49 (5) (a) of the statutes is amended to read:

14 103.49 (5) (a) Each contractor, subcontractor, or contractor's or subcontractor's
15 agent performing work on a project of public works that is subject to this section shall
16 keep full and accurate records clearly indicating the name and trade or occupation
17 of every person performing the work described in sub. (2m) and an accurate record
18 of the number of hours worked by each of those persons and the actual wages paid
19 for the hours worked.”.

20 **628.** Page 1169, line 25: delete the material beginning with that line and
21 ending with page 1170, line 1, and substitute “apply to a contractor, subcontractor,
22 or agent if all persons employed by the contractor, subcontractor, or agent who are
23 performing the work described in sub. (2m) are covered under a collective bargaining

1 agreement and the wage rates for those persons under the collective bargaining
2 agreement are not less than the prevailing wage rate. In that case, the contractor,”.

3 ✓ **629.** Page 1170, line 3: delete “the collective bargaining agreement” and
4 substitute “all collective bargaining agreements that are pertinent to the project of
5 public works”.

6 ✓ **630.** Page 1170, line 13: after that line insert:

7 “**SECTION 2191h.** 103.49 (5) (b) of the statutes is amended to read:

8 103.49 (5) (b) It shall be the duty of the department to enforce this section. To
9 this end it may demand and examine, and every contractor, subcontractor, and
10 contractor’s and subcontractor’s agent shall keep, and furnish upon request by the
11 department, copies of payrolls and other records and information relating to the
12 wages paid to persons performing the work described in sub. (2m) for work to which
13 this section applies. The department may inspect records in the manner provided
14 in this chapter. Every contractor, subcontractor, or agent performing work on a
15 project of public works that is subject to this section is subject to the requirements
16 of this chapter relating to the examination of records. Section 111.322 (2m) applies
17 to discharge and other discriminatory acts arising in connection with any proceeding
18 under this section.”.

19 ✓ **631.** Page 1170, line 17: after “project” insert “of public works”.

20 ✓ **632.** Page 1171, line 8: after that line insert:

21 “**SECTION 2192e.** 103.49 (6m) (a) of the statutes is renumbered 103.49 (6m)
22 (am).

23 **SECTION 2192f.** 103.49 (6m) (ag) of the statutes is created to read:

1 103.49 **(6m)** (ag) 1. Any contractor, subcontractor, or contractor's or
2 subcontractor's agent who fails to pay the prevailing wage rate determined by the
3 department under sub. (3) or who pays less than 1.5 times the hourly basic rate of
4 pay for all hours worked in excess of the prevailing hours of labor is liable to any
5 affected employee in the amount of his or her unpaid wages or his or her unpaid
6 overtime compensation and in an additional amount as liquidated damages as
7 provided in subd. 2., 3., or 4., whichever is applicable.

8 2. If the department determines upon inspection under sub. (5) (b) or (c) that
9 a contractor, subcontractor, or contractor's or subcontractor's agent has failed to pay
10 the prevailing wage rate determined by the department under sub. (3) or has paid
11 less than 1.5 times the hourly basic rate of pay for all hours worked in excess of the
12 prevailing hours of labor, the department shall order the contractor to pay to any
13 affected employee the amount of his or her unpaid wages or his or her unpaid
14 overtime compensation and an additional amount equal to 100 percent of the amount
15 of those unpaid wages or that unpaid overtime compensation as liquidated damages
16 within a period specified by the department in the order.

17 3. In addition to or in lieu of recovering the liability specified in subd. 1. as
18 provided in subd. 2., any employee for and in behalf of that employee and other
19 employees similarly situated may commence an action to recover that liability in any
20 court of competent jurisdiction. In an action that is commenced before the end of any
21 period specified by the department under subd. 2., if the court finds that a contractor,
22 subcontractor, or contractor's or subcontractor's agent has failed to pay the
23 prevailing wage rate determined by the department under sub. (3) or has paid less
24 than 1.5 times the hourly basic rate of pay for all hours worked in excess of the
25 prevailing hours of labor, the court shall order the contractor, subcontractor, or agent

1 to pay to any affected employee the amount of his or her unpaid wages or his or her
2 unpaid overtime compensation and an additional amount equal to 100 percent of the
3 amount of those unpaid wages or that unpaid overtime compensation as liquidated
4 damages.

5 4. In an action that is commenced after the end of any period specified by the
6 department under subd. 2., if the court finds that a contractor, subcontractor, or
7 contractor's or subcontractor's agent has failed to pay the prevailing wage rate
8 determined by the department under sub. (3) or has paid less than 1.5 times the
9 hourly basic rate of pay for all hours worked in excess of the prevailing hours of labor,
10 the court shall order the contractor, subcontractor, or agent to pay to any affected
11 employee the amount of his or her unpaid wages or his or her unpaid overtime
12 compensation and an additional amount equal to 200 percent of the amount of those
13 unpaid wages or that unpaid overtime compensation as liquidated damages.

14 5. No employee may be a party plaintiff to an action under subd. 3. or 4. unless
15 the employee consents in writing to become a party and the consent is filed in the
16 court in which the action is brought. Notwithstanding s. 814.04 (1), the court shall,
17 in addition to any judgment awarded to the plaintiff, allow reasonable attorney fees
18 and costs to be paid by the defendant.”

19 **633.** Page 1171, line 8: after that line insert:

20 “**SECTION 2192p.** 103.49 (6m) (b) of the statutes is amended to read:

21 103.49 (6m) (b) Whoever induces any person who seeks to be or is employed on
22 any project of public works that is subject to this section to give up, waive, or return
23 any part of the wages to which the person is entitled under the contract governing
24 the project, or who reduces the hourly basic rate of pay normally paid to a person for

1 work on a project that is not subject to this section during a week in which the person
2 works both on a project of public works that is subject to this section and on a project
3 that is not subject to this section, by threat not to employ, by threat of dismissal from
4 employment, or by any other means is guilty of an offense under s. 946.15 (1).

5 **SECTION 2192r.** 103.49 (6m) (c) of the statutes is amended to read:

6 103.49 (6m) (c) Any person employed on a project of public works that is subject
7 to this section who knowingly permits a contractor, subcontractor, or contractor's or
8 subcontractor's agent to pay him or her less than the prevailing wage rate set forth
9 in the contract governing the project, who gives up, waives, or returns any part of the
10 compensation to which he or she is entitled under the contract, or who gives up,
11 waives, or returns any part of the compensation to which he or she is normally
12 entitled for work on a project that is not subject to this section during a week in which
13 the person works both on a project of public works that is subject to this section and
14 on a project that is not subject to this section, is guilty of an offense under s. 946.15
15 (2).”

16 ✓ **634.** Page 1171, line 11: after “project” insert “of public works”.

17 ✓ **635.** Page 1171, line 17: after “project” insert “of public works”.

18 ✓ **636.** Page 1171, line 22: after that line insert:

19 “**SECTION 2194g.** 103.49 (6m) (f) of the statutes is amended to read:

20 103.49 (6m) (f) Paragraph ~~(a)~~ (am) does not apply to any person who fails to
21 provide any information to the department to assist the department in determining
22 prevailing wage rates under sub. (3) (a) or (am).”

23 ✓ **637.** Page 1171, line 22: after that line insert:

24 “**SECTION 2194j.** 103.49 (7) (d) of the statutes is amended to read:

1 103.49 (7) (d) Any person submitting a bid on a project of public works that is
2 subject to this section shall, on the date the person submits the bid, identify any
3 construction business in which the person, or a shareholder, officer, or partner of the
4 person, if the person is a business, owns, or has owned at least a 25% interest on the
5 date the person submits the bid or at any other time within 3 years preceding the date
6 the person submits the bid, if the business has been found to have failed to pay the
7 prevailing wage rate determined under sub. (3) or to have paid less than 1.5 times
8 the hourly basic rate of pay for all hours worked in excess of the prevailing hours of
9 labor.”

10 ✓ **638.** Page 1174, line 25: after “provides” insert “direct”.

11 ✓ **639.** Page 1175, line 6: delete lines 6 and 7.

12 ✓ **640.** Page 1175, line 11: delete lines 11 and 12.

13 ✓ **641.** Page 1175, line 16: delete the material beginning with that line and
14 ending with page 1180, line 3, and substitute:

15 “(2) APPRENTICESHIP REPORTS. (a) By no later than 15 days after the end of a
16 month in which an employer performs work on a project, the employer shall submit
17 to the department in an electronic format a report of the daily number of employees
18 employed by the employer on the project in trades that are apprenticeable under this
19 subchapter, the daily number of apprentices employed on the project, the race, sex,
20 and average age of those apprentices, and the daily number of hours worked by those
21 apprentices. The department shall post on its Internet site a running summary of
22 those reports summarizing for each month the total number of employees employed
23 on projects in this state in trades that are apprenticeable under this subchapter, the

1 total number of apprentices employed on those projects, the race, sex, and average
2 age of those apprentices, and the total number of hours worked by those apprentices.

3 (b) The department shall grant an employer a total grace period of not more
4 than 10 days in each calendar year for submitting the reports under par. (a). All
5 projects on which an employer performs work during a calendar year, whether as a
6 contractor, subcontractor, or agent of a contractor or subcontractor, are subject to a
7 single grace period under this paragraph. If an employer exceeds that grace period,
8 the employer shall forfeit, for each project on which the employer performs work
9 during the calendar year, \$1,000 for each day by which the employer exceeds the
10 grace period.

11 (3) WAIVER. If the department grants an exception or modification to any
12 requirement in any contract for the performance of work on a project relating to the
13 employment and training of apprentices, the department shall post that information
14 on its Internet site, together with a detailed explanation of why the exception or
15 modification was granted.

16 (4) DEBARMENT. (a) Except as provided under pars. (b) and (c), the department
17 shall distribute to all state agencies a list of all persons whom the department has
18 found to have exceeded the grace period under sub. (2) (b) at any time in the
19 preceding 3 years. The department shall include with any name the address of the
20 person and shall specify when the person exceeded the grace period under sub. (2)
21 (b). A state agency may not award any contract to the person unless otherwise
22 recommended by the department or unless 3 years have elapsed from the date on
23 which the department issued its findings or date of final determination by a court of
24 competent jurisdiction, whichever is later.

1 (b) The department may not include in a notification under par. (a) the name
2 of any person on the basis of having let work to a person whom the department has
3 found to have exceeded the grace period under sub. (2) (b).

4 (c) This subsection does not apply to any contractor, subcontractor, or agent
5 who in good faith on no more than 2 occasions in the same calendar year commits a
6 minor violation of sub. (2) (b), as determined on a case-by-case basis through
7 administrative hearings with all rights to due process afforded to all parties or who
8 has not exhausted or waived all appeals.

9 (d) Any person submitting a bid on a project that is subject to this section shall,
10 on the date on which the person submits the bid, identify any construction business
11 in which the person, or a shareholder, officer, or partner of the person, if the person
12 is a business, owns, or has owned at least a 25 percent interest on the date on which
13 the person submits the bid or at any other time within 3 years preceding the date on
14 which the person submits the bid, if the business has been found to have exceeded
15 the grace period under sub. (2) (b).

16 (e) The department shall promulgate rules to administer this subsection.”.

17 ✓ **642.** Page 1188, line 13: after “violation.” insert “The department shall
18 promulgate rules defining what constitutes a willful misclassification of an employee
19 as a nonemployee for purposes of this section and of ss. 102.07 (8) (d) and 108.24
20 (2m).”.

21 ✓ **643.** Page 1189, line 20: after that line insert:

22 “SECTION 2223m. 111.70 (1) (j) of the statutes is amended to read:

23 111.70 (1) (j) “Municipal employer” means any city, county, village, town,
24 metropolitan sewerage district, school district, long-term care district, transit

1 authority under s. 59.58 (7), 66.1038, or 66.1039, or any other political subdivision
2 of the state, or instrumentality of one or more political subdivisions of the state, that
3 engages the services of an employee and includes any person acting on behalf of a
4 municipal employer within the scope of the person's authority, express or implied,
5 but specifically does not include a local cultural arts district created under subch. V
6 of ch. 229.”.

7 **644.** Page 1189, line 22: delete lines 22 to 25 and substitute:

8 **“SECTION 2225.** 111.70 (1) (ne) of the statutes is amended to read:

9 111.70 (1) (ne) “School district ~~professional~~ employee” means a municipal
10 employee ~~who is a professional employee and~~ who is employed to perform services
11 for a school district.

12 **SECTION 2225f.** 111.70 (3) (a) 4. of the statutes is amended to read:

13 111.70 (3) (a) 4. To refuse to bargain collectively with a representative of a
14 majority of its employees in an appropriate collective bargaining unit. Such refusal
15 shall include action by the employer to issue or seek to obtain contracts, including
16 those provided for by statute, with individuals in the collective bargaining unit while
17 collective bargaining, mediation or fact-finding concerning the terms and conditions
18 of a new collective bargaining agreement is in progress, unless such individual
19 contracts contain express language providing that the contract is subject to
20 amendment by a subsequent collective bargaining agreement. Where the employer
21 has a good faith doubt as to whether a labor organization claiming the support of a
22 majority of its employees in an appropriate bargaining unit does in fact have that
23 support, it may file with the commission a petition requesting an election to that
24 claim. An employer shall not be deemed to have refused to bargain until an election

1 has been held and the results thereof certified to the employer by the commission.
2 The violation shall include, though not be limited thereby, to the refusal to execute
3 a collective bargaining agreement previously agreed upon. The term of any collective
4 bargaining agreement covering municipal employees who are not school district
5 employees shall not exceed 3 years, and the term of any collective bargaining
6 agreement covering school district employees shall not exceed 4 years.”.

7 ✓ **645.** Page 1190, line 20: delete the material beginning with that line and
8 ending with page 1192, line 18, and substitute:

9 “SECTION 2227. 111.70 (4) (cm) 5s. of the statutes is repealed.”.

10 ✓ **646.** Page 1198, line 14: delete lines 14 to 18.

11 ✓ **647.** Page 1199, line 1: delete lines 1 to 24 and substitute:

12 “SECTION 2242s. 111.81 (17m) of the statutes is created to read:

13 111.81 (17m) “Research assistant” means a graduate student enrolled in the
14 University of Wisconsin System who is receiving a stipend to conduct research that
15 is primarily for the benefit of the student’s own learning and research and which is
16 independent or self-directed, but does not include students provided fellowships,
17 scholarships, or traineeships which are distributed through other titles such as
18 advanced opportunity fellow, fellow, scholar, or trainee, and does not include
19 students with either an F-1 or a J-1 visa issued by the federal department of state.”.

20 ✓ **648.** Page 1201, line 10: delete lines 10 to 19 and substitute:

21 “SECTION 2243d. 111.825 (2) (g) of the statutes is created to read:

22 111.825 (2) (g) Research assistants of the University of Wisconsin-Madison
23 and University of Wisconsin-Extension.

24 SECTION 2243p. 111.825 (2) (h) of the statutes is created to read:

1 111.825 (2) (h) Research assistants of the University of Wisconsin-Milwaukee.

2 **SECTION 2243t.** 111.825 (2) (i) of the statutes is created to read:

3 111.825 (2) (i) Research assistants of the Universities of Wisconsin-Eau Claire,
4 Green Bay, La Crosse, Oshkosh, Parkside, Platteville, River Falls, Stevens Point,
5 Stout, Superior, and Whitewater.”.

6 ✓ **649.** Page 1205, line 7: delete “632.895 (14m)” and substitute “632.885”.

7 ✓ **650.** Page 1205, line 10: delete “The requirement to make retention” and
8 substitute “Retention”.

9 ✓ **651.** Page 1205, line 11: delete “the requirement to make”.

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10 **652.** Page 1206, line 22: after that line insert:

11 “**SECTION 2254L.** 111.935 of the statutes is created to read:

12 **111.935 Representatives and elections for research assistants.** (1) In
13 this section, “authorization card” means a signed card that employees complete to
14 indicate their preferences regarding collective bargaining.

15 (2) Notwithstanding s. 111.83 (2), the commission shall establish a procedure
16 whereby research assistants may determine whether to form themselves into
17 collective bargaining units under s. 111.825 (2) (g), (h), or (i) by authorization cards
18 in lieu of secret ballot. The procedure shall provide that once a majority of research
19 assistants have indicated their preference on the authorization cards to form
20 themselves into a collective bargaining unit, the collective bargaining unit is
21 established.

22 (3) Notwithstanding ss. 111.825 (4) and 111.83 (3), all of the following shall
23 apply: