

GMM /PJK

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”.

F

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

G

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:

1 (a) The initial representative of the employees in the collective bargaining unit
2 under s. 111.825 (2) (g) is the representative of the employees in the collective
3 bargaining unit under s. 111.825 (2) (a).

4 (b) The initial representative of the employees in the collective bargaining unit
5 under s. 111.825 (2) (h) is the representative of the employees in the collective
6 bargaining unit under s. 111.825 (2) (b).

7 (c) The initial representative of the employees in the collective bargaining unit
8 under s. 111.825 (2) (i) is either the representative of the employees in the collective
9 bargaining unit under s. 111.825 (2) (a) or the representative of the employees in the
10 collective bargaining unit under s. 111.825 (2) (b). The commission shall establish
11 a procedure for selecting the representative by authorization cards in lieu of secret
12 ballot.”.

13 ✓ **653.** Page 1232, line 24: delete the material beginning with that line and
14 ending with page 1233, line 5.

15 ✓ **654.** Page 1233, line 5: after that line insert:

16 “SECTION 2255m. 115.28 (52) of the statutes is amended to read:

17 115.28 (52) ADULT LITERACY GRANTS. From the appropriation under s. 20.255
18 (3) (b), award grants to nonprofit organizations, as defined in s. 108.02 (19), to
19 support programs that train community-based adult literacy staff and to establish
20 new volunteer-based programs in areas of this state that have a demonstrated need
21 for adult literacy services. No grant may exceed \$10,000, and no organization may
22 receive more than one grant in any fiscal year.”.

23 ✓ **655.** Page 1234, line 2: after that line insert:

1 “SECTION 2256t. 115.436 (3) (a) (intro.), 1. and 2. of the statutes are
2 consolidated, renumbered 115.436 (3) (a) and amended to read:

3 115.436 (3) (a) Beginning in the ~~2008-09~~ 2009-10 school year, from the
4 appropriation under s. 20.255 (2) (ae) and subject to par. (b), the department shall
5 pay to each school district eligible for sparsity aid ~~the following amount from the~~
6 ~~appropriation under s. 20.255 (2) (ae), subject to par. (b): 1. If less than 50 percent~~
7 ~~of the school district's membership in the previous school year was eligible for a free~~
8 ~~or reduced-price lunch under 42 USC 1758 (b), \$150 multiplied by the membership~~
9 ~~in the previous school year. 2. If 50 percent or more of the school district's~~
10 ~~membership in the previous school year was eligible for a free or reduced-price lunch~~
11 ~~under 42 USC 1758 (b), \$300 multiplied by the membership in the previous school~~
12 ~~year.”.~~

13 ✓✓ **656.** Page 1235, line 24: delete lines 24 and 25.

14 ✓✓ **657.** Page 1236, line 1: delete lines 1 to 7.

15 ✓✓ **658.** Page 1236, line 8: delete lines 8 to 11.

16 ✓✓ **659.** Page 1238, line 16: delete that line and substitute “department will
17 adopt or approve substantially redesigned examinations under sub. (1) to be
18 initially”.

19 ✓✓ **660.** Page 1238, line 17: delete “under sub. (1m)”.

20 ✓✓ **661.** Page 1238, line 17: delete “beginning”.

21 ✓✓ **662.** Page 1238, line 18: delete “and annually thereafter”.

22 ✓✓ **663.** Page 1242, line 12: delete lines 12 to 22 and substitute:

1 **“SECTION 2273bd.** 118.40 (2r) (e) 1. of the statutes is renumbered 118.40 (2r)
2 (e) 1. a. and amended to read:

3 118.40 (2r) (e) 1. a. ~~From~~ In the 2009-10 and 2010-11 school years, from the
4 appropriation under s. 20.255 (2) (fm), the department shall pay to the operator of
5 the charter school an amount equal to the sum of the amount paid per pupil under
6 this subdivision in the previous school year and the increase in the per pupil amount
7 paid to private schools under s. 119.23 (4) (b) 2. or (bg) in the current school year as
8 compared to the previous school year, multiplied by the number of pupils attending
9 the charter school.

10 c. The amount paid per pupil under this subdivision may not be less than the
11 amount paid per pupil under this subdivision in the previous school year. The
12 department shall pay 25% of the total amount in September, 25% in December, 25%
13 in February, and 25% in June. The department shall send the check to the operator
14 of the charter school.

15 **SECTION 2273be.** 118.40 (2r) (e) 1. b. of the statutes is created to read:

16 118.40 (2r) (e) 1. b. In the 2011-12 school year and in each school year
17 thereafter, from the appropriation under s. 20.255 (2) (fm), the department shall pay
18 to the operator of the charter school an amount equal to the sum of the amount paid
19 per pupil under this subdivision in the previous school year and the per pupil revenue
20 limit adjustment under s. 121.91 (2m) in the current school year, multiplied by the
21 number of pupils attending the charter school.

22 **SECTION 2273bf.** 118.40 (2r) (f) of the statutes is created to read:

23 118.40 (2r) (f) When establishing or contracting for the establishment of a
24 charter school under this subsection, an entity specified under par. (b) shall consider

1 the principles and standards for quality charter schools established by the National
2 Association of Charter School Authorizers.”.

3 ✓ **664.** Page 1244, line 3: after that line insert:

4 “SECTION 2274t. 118.51 (16) (e) of the statutes is created to read:

5 118.51 (16) (e) If in any school year the number determined in par. (a) 2. less
6 the number determined in par. (a) 1. is greater than 10 percent of the school district’s
7 membership used to calculate general school aids in that school year, in the following
8 school year the department shall pay to the school district, from the appropriation
9 account under s. 20.255 (2) (ch), the amount determined as follows:

10 1. Subtract the number of pupils determined in par. (a) 1. for the calculation
11 under par. (e) (intro.) from the number of pupils determined in par. (a) 2 for the
12 calculation under par. (e) (intro.).

13 2. Multiply the school district’s membership used for the calculation under par.
14 (e) (intro.) by 0.10.

15 3. Subtract the result under subd. 2. from the result in subd. 1.

16 4. Multiply the difference under subd. 3. by the amount under par. (a) 3. in the
17 previous school year.”.

18 ✓ **665.** Page 1244, line 10: delete “118.245,” and substitute “118.245,”.

19 ✓ **666.** Page 1247, line 1: delete the material beginning with “not” and ending
20 with “participating” on line 2 and substitute “a first-time participant”.

21 ✓ **667.** Page 1250, line 10: delete “and (p)”.

22 ✓ **668.** Page 1255, line 20: delete lines 20 to 23.

23 ✓ **669.** Page 1259, line 12: delete that line and substitute:

24 “SECTION 2296b. 119.82 (1m) (c) of the statutes is amended to read:

1 119.82 (1m) (c) Has been or is being sanctioned under s. 49.26 (1) (h) ~~or is~~
2 ~~subject to the monthly attendance requirement under s. DWD 11.195 (4) (b) 2., Wis.~~
3 ~~Adm. Code.~~”.

4 ✓ **670.** Page 1259, line 16: delete “~~(ne) (nd)~~” and substitute “(ne)”.

5 ✓ **671.** Page 1260, line 3: before “632.895” insert “632.885.”.

6 ✓ **672.** Page 1261, line 23: after that line insert:

7 “**SECTION 2299g.** 121.07 (6) (e) 1. of the statutes is amended to read:

8 121.07 (6) (e) 1. For a school district created by a consolidation under s. 117.08
9 or 117.09, in the school year in which the consolidation takes effect and in each of the
10 subsequent 4 school years, the amounts under pars. (b) and (d) shall be multiplied
11 by ~~1.1~~ 1.15 and rounded to the next lowest dollar.

12 **SECTION 2299r.** 121.07 (7) (e) 1. of the statutes is amended to read:

13 121.07 (7) (e) 1. For a school district created by a consolidation under s. 117.08
14 or 117.09, in the school year in which the consolidation takes effect and in each of the
15 subsequent 4 school years, the amounts under pars. (a) to (bm) shall be multiplied
16 by ~~1.1~~ 1.15 and rounded to the next lower dollar.”.

17 ✓ **673.** Page 1261, line 23: after that line insert:

18 “**SECTION 2300m.** 121.08 (4) (a) 1. of the statutes is amended to read:

19 121.08 (4) (a) 1. Add In the 2009-10 and 2010-11 school year, add the amounts
20 paid under s. 118.40 (2r) in the current school year, and in the 2011-12 school year
21 and each school year thereafter, add the amounts paid under s. 118.40 (2r) in the
22 2010-11 school year.”.

23 ✓ **674.** Page 1263, line 19: delete the material beginning with that line and
24 ending with page 1264, line 12.

1 ✓ **675.** Page 1265, line 11: after “school board” insert “of the school district
2 operating under ch. 119”.

3 ✓ **676.** Page 1266, line 1: delete lines 1 to 9.

4 ✓ **677.** Page 1267, line 6: after “ss.” insert “118.51 (16) (e).”.

5 ✓ **678.** Page 1267, line 21: after that line insert:

6 “SECTION 2312d. 121.905 (1) of the statutes is amended to read:

7 121.905 (1) In this section, “revenue ceiling” means ~~\$8,700 in the 2007-08~~
8 ~~school year and \$9,000 in the 2009-10 school year and in the 2010-11 school year and~~
9 \$9,800 in any subsequent school year.”.

10 ✓ **679.** Page 1276, line 9: delete the material beginning with “This” and ending
11 with “years.” on line 11.

12 ✓ **680.** Page 1276, line 12: delete lines 12 to 15.

13 ✓ **681.** Page 1277, line 7: after that line insert:

14 “SECTION 2318em. 125.27 (3) of the statutes is created to read:

15 125.27 (3) PERMITS FOR CERTAIN TRIBES. (a) In this subsection, “tribe” means a
16 federally recognized American Indian tribe in this state having a reservation created
17 pursuant to treaty with the United States encompassing not less than 60,000 acres
18 nor more than 70,000 acres or any business entity that is wholly owned and operated
19 by such a tribe.

20 (b) Upon application, the department shall issue a Class “B” permit to a tribe
21 that holds a valid certificate issued under s. 73.03 (50) and that is qualified under
22 s. 125.04 (5) and (6). The permit authorizes the retail sale of fermented malt
23 beverages for consumption on or off the premises where sold.

1 (c) A tribe holding a permit under par. (a) may sell beverages containing less
2 than 0.5% of alcohol by volume without obtaining a license under s. 66.0433 (1).

3 (d) Except as provided in this subsection, all sections of this chapter applying
4 to Class "B" licenses apply to Class "B" permits issued under this subsection."

5 ✓ **682.** Page 1277, line 23: after that line insert:

6 "SECTION 2318fm. 125.51 (3) (e) 2. of the statutes is amended to read:

7 125.51 (3) (e) 2. Each municipal governing body shall establish the fee, in an
8 amount not less than \$10,000, for an initial issuance of a reserve "Class B" license,
9 as defined in sub. (4) (a) 4., and, if the municipality contains a capital improvement
10 area enumerated under sub. (4) (x) 2. a., for an initial issuance of a "Class B" license
11 under sub. (4) (x) 3. and 4., except that the fee for an initial issuance of a reserve
12 "Class B" license to a bona fide club or lodge situated and incorporated in the state
13 for at least 6 years is the fee established under subd. 1. for such a club or lodge. The
14 fee under this subdivision is in addition to any other fee required under this chapter.
15 The annual fee for renewal of a reserve "Class B" license, as defined in sub. (4) (a)
16 1., and a "Class B" license issued under sub. (4) (x) 3. or 4. is the fee established under
17 subd. 1."

18 ✓ **683.** Page 1278, line 21: after that line insert:

19 "SECTION 2318im. 125.51 (4) (w) 4. of the statutes is created to read:

20 125.51 (4) (w) 4. Notwithstanding pars. (am) to (d) and s. 125.185 (5), a 3rd class
21 city located in Dane County having a population as shown in the 2000 federal
22 decennial census of at least 15,000 but not more than 16,000 may issue 2 "Class B"
23 licenses in addition to the number of licenses determined for the city's quota under
24 pars. (b) to (d)."

1 ✓ **684.** Page 1278, line 21: after that line insert:

2 “SECTION 2318ip. 125.51 (5) (d) of the statutes is created to read:

3 125.51 (5) (d) PERMITS FOR CERTAIN TRIBES. 1. In this paragraph, “tribe” has the
4 meaning given in s. 125.27 (3) (a).

5 2. Upon application, the department shall issue a “Class B” permit to a tribe
6 that holds a valid certificate issued under s. 73.03 (50) and that is qualified under
7 s. 125.04 (5) and (6). The permit authorizes the retail sale of intoxicating liquor for
8 consumption on the premises where sold by the glass and not in the original package
9 or container. The permit also authorizes the sale of intoxicating liquor in the original
10 package or container, in multiples not to exceed 4 liters at any one time, to be
11 consumed off the premises where sold, except that wine is not subject to the 4-liter
12 limitation.

13 3. Except as provided in this paragraph, all sections of this chapter applying
14 to “Class B” licenses apply to “Class B” permits issued under this paragraph.”.

15 ✓ **685.** Page 1278, line 21: after that line insert:

16 “SECTION 2318it. 125.51 (4) (x) of the statutes is created to read:

17 125.51 (4) (x) 1. In this paragraph:

18 a. “Area base value” means the aggregate assessed value of all taxable property
19 located within the geographic bounds of a capital improvement area on January 1
20 of the year that is 5 years prior to the year in which such capital improvement area
21 is enumerated under subd. 2.

22 b. “Capital improvement area” means a geographic area that is enumerated
23 under subd. 2. as having an improvement increment exceeding \$50,000,000 in the
24 year in which the area is enumerated and as being located within a municipality with

1 insufficient reserve "Class B" licenses to issue a "Class B" license for each business
2 or proposed business that would reasonably require one.

3 c. "Good faith," with respect to an applicant's attempt to purchase a "Class B"
4 licensed business, includes an applicant making an offer to purchase the business
5 for an amount exceeding \$25,000 in total value, without additional significant
6 conditions placed on the purchase by either party, after having given notice to all
7 current "Class B" license holders within the municipality where the business is
8 located, by U.S. mail addressed to either the licensee's last-known address or to the
9 licensed premises, of the applicant's interest in purchasing a licensed business,
10 except that an offer in an amount of \$25,000 or less may also be considered to be in
11 a good faith for purposes of this subd. 1. c. depending on the fair market value of the
12 business, the availability of other licensed businesses for purchase, and any
13 conditions attached to the sale.

14 d. "Improvement increment" means the aggregate assessed value of all taxable
15 property in a capital improvement area as of January 1 of any year minus the area
16 base value.

17 e. "Qualified applicant" means an applicant that complies with all
18 requirements under s. 125.04 (5) and (6) and any applicable ordinance, that certifies
19 by affidavit that the applicant has made a good faith attempt to purchase the
20 business of a person holding a "Class B" license within the municipality and have
21 that license transferred to the applicant under s. 125.04 (12) (b) 4., and for whom the
22 issuing municipality has determined that these requirements have been met.

23 2. The legislature hereby enumerates the following areas, with the geographic
24 boundaries described in this subdivision, as capital improvement areas:

1 a. The geographic area composed of all land within the Tax Incremental
2 District Number 3 within the city of Oconomowoc in Waukesha County that lies
3 south of Valley Road and east of STH 67 or that lies south of I 94 and west of STH
4 67.

5 3. Notwithstanding pars. (am) to (d) and s. 125.185 (5), upon application by a
6 qualified applicant, the governing body of any municipality containing a capital
7 improvement area enumerated under subd. 2. a. shall issue to the qualified applicant
8 one "Class B" license in addition to the number of licenses determined for the
9 municipality's quota under pars. (b) to (d) and in addition to any license under par.
10 (v).

11 4. Notwithstanding pars. (am) to (d) and s. 125.185 (5), after a qualified
12 applicant has filed an application under subd. 3. and upon application by an initial
13 qualified applicant under this subdivision, the governing body of any municipality
14 containing a capital improvement area enumerated under subd. 2. a. shall determine
15 the improvement increment within the capital improvement area for the calendar
16 year in which the application under this subdivision is filed. If the improvement
17 increment is at least \$10,000,000 above \$50,000,000, the governing body of the
18 municipality shall issue to the initial qualified applicant a "Class B" license. For
19 each \$10,000,000 of improvement increment above \$50,000,000, the governing body
20 of the municipality is authorized to issue under this subdivision one "Class B" license
21 and, upon each application by a qualified applicant subsequent to that of the initial
22 qualified applicant, the governing body of the municipality shall issue a "Class B"
23 license to the qualified applicant until all licenses authorized under this subdivision
24 have been issued. If the governing body of any municipality receives an application
25 by a qualified applicant in a calendar year subsequent to the calendar year in which

1 it received the application of the initial qualified applicant, the governing body of the
2 municipality shall redetermine the improvement increment for that year for the
3 purpose of determining the number of "Class B" licenses authorized under this
4 subdivision. The "Class B" licenses that a municipality is authorized to issue under
5 this subdivision are in addition to the number of licenses determined for the
6 municipality's quota under pars. (b) to (d), any license under par. (v), and the license
7 under subd. 3.

8 5. Notwithstanding subs. 3. and 4., not more than 8 "Class B" licenses may
9 be issued under this paragraph for premises within the same capital improvement
10 area.

11 6. Notwithstanding subd. 7., any "Class B" license issued under this paragraph
12 may be transferred as provided under s. 125.04 (12) (b) 4. Notwithstanding subs.
13 5. and 7., if a "Class B" license issued under this paragraph is surrendered to the
14 issuing municipality, revoked, or not renewed, the municipality may reissue the
15 license to a qualified applicant for a premises located within the same capital
16 improvement area for which the license was originally issued.

17 7. No "Class B" license may be issued under this paragraph after July 1, 2017."

18 ✓ **686.** Page 1282, line 4: delete lines 4 to 7.

19 ✓ **687.** Page 1282, line 18: delete "\$1.87".

20 ✓ **688.** Page 1282, line 19: delete lines 19 and 20 and substitute "~~per ounce, and~~
21 ~~at a proportionate rate for any other quantity or fractional part thereof, of the moist~~
22 ~~snuff's net weight, as listed by the manufacturer~~ 100 percent of the manufacturer's
23 established list price to distributors without diminution by volume or other discounts
24 on domestic products. The tax".

- 1 ✓ **689.** Page 1282, line 21: delete “50 71” and substitute “50”.
- 2 ✓ **690.** Page 1282, line 25: after “States.” insert “On moist snuff imported from
3 another country, the rate of the tax is 100 percent of the amount obtained by adding
4 the manufacturer’s list price to the federal tax, duties, and transportation costs to
5 the United States.”.
- 6 ✓ **691.** Page 1283, line 7: delete the material beginning with that line and
7 ending with page 1284, line 12.
- 8 ✓ **692.** Page 1284, line 17: delete lines 17 and 18 and substitute “~~\$1.31 per~~
9 ~~ounce, and at a proportionate rate for any other quantity or fractional part thereof,~~
10 ~~of the moist snuff’s net weight, as listed by the manufacturer~~ 100 percent of the
11 manufacturer’s established list price to distributors without diminution by volume
12 or other discounts on domestic products. The tax”.
- 13 ✓ **693.** Page 1284, line 19: delete “50 71” and substitute “50”.
- 14 ✓ **694.** Page 1292, line 8: delete “The” and substitute “Except as provided in sub.
15 (1g), the”.
- 16 ✓ **695.** Page 1292, line 15: after “(b)” insert “, sub. (1g),”.
- 17 ✓ **696.** Page 1292, line 21: after “provided in” insert “sub. (1g) or”.
- 18 ✓ **697.** Page 1293, line 8: after that line insert:
19 “3m. For providing copies in digital or electronic format, a single charge of \$5
20 for all copies requested. A health care provider may not charge a fee for the disc or
21 other storage medium on which copies are provided in a digital or electronic format.”.
- 22 ✓ **698.** Page 1293, line 21: delete “A health” and substitute “Except as provided
23 in sub. (1g), a health”.

1 ✓ **699.** Page 1294, line 3: after that line insert:

2 “SECTION 2433e. 146.83 (1g) of the statutes is created to read:

3 146.83 (1g) The time limit for making records available for inspection under
4 sub. (1d), the time limits for providing copies of records under sub. (1f) (a) and (b),
5 and the requirement under sub. (1f) (d) 2. to provide one set of copies of records
6 without charge if the patient is eligible for medical assistance do not apply if the
7 health care provider is the department or the department of corrections.”.

8 ✓ **700.** Page 1294, line 15: after that line insert:

9 “3m. For providing copies in digital or electronic format, a single charge of \$5
10 for all copies requested. A health care provider may not charge a fee for the disc or
11 other storage medium on which copies are provided in a digital or electronic format.”.

12 ✓ **701.** Page 1294, line 19: delete “patient or person authorized by the patient”
13 and substitute “requester”.

14 ✓ **702.** Page 1295, line 4: delete “(a)”.

15 ✓ **703.** Page 1295, line 12: delete lines 12 and 13.

16 ✓ **704.** Page 1307, line 16: after that line insert:

17 “SECTION 2443d. 165.018 of the statutes is repealed.”.

18 ✓ **705.** Page 1307, line 20: delete “shall” and substitute “may”.

19 ✓ **706.** Page 1307, line 21: after “a total of” insert “up to”.

20 ✓ **707.** Page 1307, line 22: after “following” insert “, for retention pay for
21 assistant district attorneys and assistant state public defenders”.

22 ✓ **708.** Page 1307, line 22: delete “20.455” and substitute “20.455,”.

23 ✓ **709.** Page 1308, line 11: delete that line and substitute:

1 “(b) If the attorney general transfers moneys under sub. (1) in a fiscal year, the
2 attorney general shall on June 30 of that fiscal year transfer from”.

3 ✓ **710.** Page 1308, line 13: delete “\$1,000,000” and substitute “the amount
4 transferred under sub. (1)”.

5 ✓ **711.** Page 1308, line 15: delete that line and substitute:

6 “(c) If the attorney general transfers moneys under sub. (1) in a fiscal year, the
7 attorney general shall on June 30 of that fiscal year transfer”.

8 ✓ **712.** Page 1308, line 17: delete “\$1,000,000” and substitute “the amount
9 transferred under sub. (1)”.

10 ✓ **713.** Page 1309, line 7: after that line insert:

11 “**SECTION 2446m.** 165.755 (1) (b) of the statutes is amended to read:

12 165.755 (1) (b) A court may not impose the crime laboratories and drug law
13 enforcement surcharge under par. (a) for a violation of s. 101.123 (2) (a), (am) 1., (ar),
14 (bm), (br), or (bv) or (5) (b), for a financial responsibility violation under s. 344.62 (2),
15 for a first violation of s. 23.33 (4c) (a) 2., 30.681 (1) (b) 1., 346.63 (1) (b), or 350.101
16 (1) (b), if the person who committed the violation had a blood alcohol concentration
17 of 0.08 or more but less than 0.1 at the time of the violation, or for a violation of a state
18 law or municipal or county ordinance involving a nonmoving traffic violation, a
19 violation under s. 343.51 (1m) (b), or a safety belt use violation under s. 347.48 (2m).”.

20 ✓ **714.** Page 1312, line 20: delete the material beginning with that line and
21 ending with page 1315, line 23.

22 ✓ **715.** Page 1316, line 3: before “632.895” insert “632.885”.

23 ✓ **716.** Page 1316, line 11: before “632.895” insert “632.885”.

1 ✓ **717.** Page 1319, line 18: delete the material beginning with that line and
2 ending with page 1320, line 5.

3 ✓ **718.** Page 1320, line 10: delete “active voice or nonvoice” and substitute
4 “active retail voice”.

5 ✓ **719.** Page 1320, line 14: delete the material beginning with “that the” and
6 ending with “subscriber.” on line 15 and substitute “with an assigned telephone
7 number, including a communication service provided via a voice over Internet
8 protocol connection. If a communications provider provides multiple
9 communications service connections to a subscriber, the communications provider
10 shall impose a separate fee under this subdivision on each of the first 10 connections
11 and one additional fee for each 10 additional connections per billed account.”.

12 ✓ **720.** Page 1320, line 18: delete “fee.” and substitute “fee,” or, if the
13 communications provider combines the fee with a charge imposed under s. 256.35 (3),
14 the communications provider shall identify the combined fee and charge as “charge
15 for funding countywide 911 systems plus police and fire protection fee.”.

16 ✓ **721.** Page 1321, line 18: after that line insert:

17 “SECTION 2454L. 196.025 (6) of the statutes, as created by 2009 Wisconsin Act
18 (this act), is repealed.”.

19 ✓ **722.** Page 1322, line 5: after that line insert:

20 “SECTION 2460f. 196.202 (2) of the statutes, as affected by 2009 Wisconsin Act
21 (this act), is repealed and recreated to read:

22 196.202 (2) SCOPE OF REGULATION. A commercial mobile radio service provider
23 is not subject to ch. 201 or this chapter, except as provided in sub. (5), and except that
24 a commercial mobile radio service provider is subject to ss. 196.218 (3) and 196.859,

1 and shall respond, subject to the protection of the commercial mobile radio service
2 provider's competitive information, to all reasonable requests for information about
3 its operations in this state from the commission necessary to administer ss. 196.218
4 (3) and 196.859.”.

5 ✓ **723.** Page 1322, line 12: after that line insert:

6 “SECTION 2460t. 196.203 (1) of the statutes, as affected by 2009 Wisconsin Act
7 ... (this act), is repealed and recreated to read:

8 196.203 (1) Alternative telecommunications utilities are exempt from all
9 provisions of ch. 201 and this chapter, except as provided in this section and except
10 that an alternative telecommunications utility that is a local government
11 telecommunications utility, as defined in s. 196.204 (5) (ag) 1., is subject to s. 196.204
12 (5).”.

13 ✓ **724.** Page 1322, line 18: after that line insert:

14 “SECTION 2463m. 196.31 (2m) of the statutes is created to read:

15 196.31 (2m) From the appropriation under s. 20.155 (1) (j), the commission
16 shall make an annual grant of \$300,000 to a nonstock, nonprofit corporation that is
17 described under section 501 (c) (3) of the Internal Revenue Code, and that has a
18 history of advocating on behalf of residential ratepayers for affordable rates, for the
19 purpose of offsetting the general expenses of the corporation, including salary,
20 benefit, rent, and utility expenses.”.

21 ✓ **725.** Page 1322, line 19: delete the material beginning with that line and
22 ending with page 1323, line 11.

23 ✓ **726.** Page 1323, line 15: after that line insert:

1 “**SECTION 2475L.** 196.499 (1) (intro.) of the statutes, as affected by 2009
2 Wisconsin Act (this act), is repealed and recreated to read:

3 196.499 (1) **SCOPE.** (intro.) Notwithstanding any other provisions of this
4 chapter, a telecommunications carrier is not subject to regulation under this chapter,
5 except under each of the following provisions:”

6 ✓ **727.** Page 1324, line 8: delete lines 8 to 25.

7 ✓ **728.** Page 1325, line 1: delete lines 1 to 9.

8 ✓ **729.** Page 1325, line 18: delete the material beginning with that line and
9 ending with page 1326, line 5.

10 ✓ **730.** Page 1326, line 25: delete the material beginning with that line and
11 ending with page 1327, line 20.

12 ✓ **731.** Page 1328, line 7: delete the material beginning with that line and
13 ending with page 1329, line 24.

14 ✓ **732.** Page 1330, line 18: after that line insert:

15 “**SECTION 2482m.** 230.04 (17m) of the statutes is created to read:

16 230.04 (17m) Upon receiving notice from the department of corrections that
17 a unit supervisor position in the division of adult institutions in the department of
18 corrections has become vacant, the director shall reclassify the position under s.
19 230.09 as a teacher position.”

20 ✓ **733.** Page 1345, line 15: after that line insert:

21 “**SECTION 2520d.** 250.20 (6) of the statutes is created to read:

1 250.20 (6) AMERICAN INDIAN DIABETES PREVENTION AND CONTROL. From the
2 appropriation under s. 20.435 (1) (kf), the department shall fund activities to prevent
3 and control diabetes among American Indians.”

4 ✓ **734.** Page 1346, line 1: delete lines 1 to 9.

5 ✓ **735.** Page 1357, line 4: after that line insert:

6 “SECTION 2552g. 254.47 (7) of the statutes is created to read:

7 254.47 (7) The department may not require that a swimming pool be staffed
8 by a lifeguard as a condition of receiving a permit under this section if the swimming
9 pool is less than 2,500 square feet, the swimming pool is located in a private club in
10 the city of Milwaukee, and the club has a policy that prohibits a minor from using
11 the swimming pool when not accompanied by an adult.”

12 ✓ **736.** Page 1362, line 23: after that line insert:

13 “SECTION 2572hb. 256.35 (1) (cs) of the statutes is created to read:

14 256.35 (1) (cs) “Communications provider” means a person that provides active
15 voice or nonvoice communications service that is capable of accessing a public safety
16 answering point.

17 SECTION 2572he. 256.35 (1) (ee) of the statutes is created to read:

18 256.35 (1) (ee) “Enhanced 911 service” means delivering 911 calls with
19 automatic number identification and automatic location identification to an
20 appropriate public safety answering point by selective routing based on the
21 geographical location from which the call originated and providing either a specific
22 street address or information defining the approximate geographic location, in
23 accordance with orders promulgated by the federal communications commission.

24 SECTION 2572hb. 256.35 (1) (gm) of the statutes is amended to read:

1 256.35 (1) (gm) "Public safety answering point" means a facility to which a call
2 on a basic or sophisticated system is initially routed for response, and on which a
3 public agency directly dispatches the appropriate emergency service provider, relays
4 a message to the appropriate emergency service provider or transfers the call to the
5 appropriate emergency services provider. "Public safety answering point" includes
6 a wireless public safety answering point, as defined in sub. (3m) (a) 7.

7 **SECTION 2572hL.** 256.35 (3) of the statutes is repealed.

8 **SECTION 2572ho.** 256.35 (3g) of the statutes is created to read:

9 256.35 (3g) ENHANCED 911 GRANTS. (a) *Surcharges.* 1. 'In general.' Except as
10 provided in subd. 2., each communications provider shall impose on subscriber bills
11 a monthly surcharge of 75 cents, subject to any adjustment under subd. 3. A
12 communications provider may list the surcharge separately from other charges on
13 a subscriber's bill. Any partial payment of a surcharge by a subscriber shall be
14 applied first to any amount the subscriber owes the communications provider for
15 communications service.

16 2. 'Prepaid wireless.' a. A communications provider that offers prepaid
17 wireless service, or a seller that offers prepaid wireless service on behalf of a
18 communications provider, shall impose a surcharge equal to one-half of the
19 surcharge required under subd. 1., as adjusted under subd. 3., on subscribers with
20 respect to each retail transaction for prepaid wireless service that occurs in this
21 state. The communications provider or seller may state the amount of the surcharge
22 separately on an invoice, receipt, or similar document provided to a subscriber, or
23 may otherwise disclose the surcharge to the subscriber. The surcharge is the liability
24 of the subscriber, and not of the communications provider or seller, except that a
25 communications provider or seller is liable to remit all surcharges that the

1 communications provider or seller collects from subscribers, including all such
2 surcharges that the communications provider or seller is considered to collect where
3 the amount of the surcharge is not separately stated on an invoice, receipt, or other
4 similar document provided to the subscriber by the communications provider or
5 seller.

6 b. The commission shall promulgate rules exempting from the surcharge
7 required under subd. 2. a. a transaction that is not considered to be a sale at retail
8 under subch. III of ch. 77.

9 c. For purposes of subd. 2. a., a retail transaction effected in person by a
10 subscriber at a business location of the communications provider occurs in this state
11 if the business location is in this state and any other retail transaction occurs in this
12 state if the location of the retail transaction is in this state as determined under s.
13 77.522.

14 d. Except for the surcharge authorized under this subdivision, no local
15 government or state agency, as defined in s. 560.9810 (1), may impose a fee with
16 respect to prepaid wireless on any communications provider, seller, or consumer, for
17 the purpose of funding wireless emergency telephone service.

18 e. The commission shall promulgate rules establishing requirements and
19 procedures for auditing sellers to determine compliance with this subdivision,
20 including requirements and procedures for appealing determinations of the
21 commission. To the extent practicable, the rules shall incorporate the audit and
22 appeal provisions under ss. 77.59 and 77.61.

23 3. 'Adjustments.' a. Annually, the commission shall adjust the amount of the
24 surcharge required under subd. 1. to reflect any change in the U.S. consumer price
25 index for the midwest region as determined by the U.S. department of labor during

1 the period beginning on August 31 of the year that is 2 years before the commission's
2 adjustment and ending on August 31 of the year before the commission's adjustment.

3 b. The commission shall annually monitor the revenues, including interest,
4 generated by the surcharges remitted under subd. 4. a. If the commission determines
5 that the surcharges generate revenue in excess of the amount required for grants
6 under par. (d), the commission shall reduce the amount of the surcharge required
7 under subd. 1., but only if the reduction ensures full cost recovery for grant recipients
8 over a reasonable period. If the commission determines that the surcharges remitted
9 under subd. 4. a. generate revenue that is less than the amount required for grants
10 under par. (d), the commission shall increase the surcharge required under subd. 1.
11 by an amount that ensures full cost recovery for grant recipients over a reasonable
12 period, except that, in a year, the commission may not increase the surcharge by an
13 amount greater than an increase allowed for that year under subd. 3. a.

14 c. No later than October 1 of each year the commission shall notify
15 communications providers and sellers who offer prepaid wireless on behalf of
16 communications providers of any adjustment to the surcharge required under subd.
17 1., and the adjustment shall be effective on January 1 of the following year.

18 4. 'Collection and remittance.' a. A communications provider or seller that
19 offers prepaid wireless on behalf of a communication provider shall remit surcharges
20 to the commission no later than the end of the month following the month that the
21 provider or seller collects the surcharges from subscribers, except that a
22 communications provider may deduct and retain from the remittance an
23 administrative allowance equal to \$50, or 1 percent of the surcharges collected from
24 subscribers, whichever is greater. The commission may require that
25 communications providers and sellers report the amount of uncollected surcharges

1 on an annual basis, or less frequently as determined by the commission. The
2 commission may require that a communications provider or seller provide the
3 commission with the name, address, and telephone number of a subscriber who
4 refuses to pay a surcharge. The commission shall deposit all remittances under this
5 subd. 4. a. into the 911 fund.

6 b. A communications provider or seller has no obligation to take any legal
7 action to enforce the collection of the surcharge billed to a subscriber. The
8 commission may initiate a collection action against a subscriber for an unpaid
9 surcharge, and recover reasonable costs and, notwithstanding s. 814.04 (1), attorney
10 fees associated with the action.

11 (b) *Grant applications; communications providers.* A communications provider
12 may apply to the commission for grants for reimbursement of actual, commercially
13 reasonable costs incurred in complying with the requirements for enhanced 911
14 service, including the costs incurred for designing, upgrading, purchasing, leasing,
15 programming, installing, testing, or maintaining all necessary data, hardware, and
16 software required to provide enhanced 911 service, and the recurring and
17 nonrecurring costs of providing enhanced 911 service. An application shall include
18 invoices for the costs for which reimbursement is claimed.

19 (c) *Grant applications; local governments.* 1. A local government that operates
20 a wireless public safety answering point that was in operation on November 30, 2008,
21 and that was identified in a resolution adopted under sub. (3m) (c) 3., and a local
22 government designated under subd. 2., may apply to the commission for grants if the
23 local government submits annual applications to the commission that identify the
24 expenses eligible for reimbursement under subd. 3., list the invoices for
25 reimbursement that are related to compliance with enhanced 911 service

1 requirements, and include the costs of landline 911 trunks and charges for public
2 safety answering points in the same county as the local government.

3 2. If enhanced 911 service was not available in a county on November 30, 2008,
4 and the county designates one local government in the county, or the county itself,
5 as the operator of the primary public safety answering point for the county, the local
6 government or county so designated is eligible for grants under subd. 1. The
7 commission shall promulgate rules establishing requirements and procedures for a
8 county to make a designation under this subdivision.

9 3. Expenses that are eligible for reimbursement under subd. 1. are the actual
10 costs incurred by a public safety answering point in complying with the requirements
11 of enhanced 911 service, including costs incurred for designing, upgrading,
12 purchasing, leasing, programming, installing, testing, or maintaining all necessary
13 data, hardware, and software required to provide enhanced 911 service; the
14 recurring and nonrecurring costs of providing enhanced 911 service; and the costs
15 associated with training public safety answering point personnel.

16 (d) *Payment of grants.* From the appropriation account under s. 20.155 (3) (r),
17 the commission shall award grants to communications providers and local
18 governments who submit applications under pars. (b) and (c) for reimbursement of
19 costs that the commission determines are eligible for reimbursement. If the total
20 amount of invoices for cost reimbursement that are submitted to the commission and
21 approved for payment in a month exceeds the amount available from the 911 fund
22 for reimbursement, the commission shall proportionately reduce the amount
23 payable to each communications provider and local government so that the amount
24 paid in grants does not exceed the amount available from the 911 fund, and the
25 commission shall defer awarding grants for the balance due to each communications

1 provider and local government until sufficient moneys are available from the 911
2 fund.

3 (e) *Information requests; audits.* A local government that receives grants for
4 a public safety answering point shall comply with all requests by the commission for
5 financial information related to the operation of the public safety answering point
6 and, upon request, provide a copy of any audits conducted of the public safety
7 answering point to the commission.

8 (f) *Telephone relay service for hearing impaired.* A local government that
9 receives a grant under par. (d) shall ensure the each public safety answering point
10 operated by or on behalf of the local government complies with requirements of the
11 federal communications commission that all 911 answering positions are equipped
12 with the necessary equipment for accepting 911 calls from the hearing impaired
13 directly or through the use of a relaying service.

14 (g) *Audits.* The commission may require a communications provider or local
15 government that receives a grant under par. (d) to conduct an audit to ensure that
16 the grant application and use of the moneys received is consistent with the
17 requirements of this subsection and may require a local government that receives a
18 grant under par. (d) to provide a copy of its annual audit of the public safety
19 answering point for which the grant is received.

20 (h) *Unauthorized expenditures.* The commission may, on its own motion, or, at
21 its discretion, upon the complaint of any person, give written notice of violation to
22 any communications provider or local government alleged to be expending grant
23 moneys for a purpose not authorized under this subsection. Upon receipt of the
24 notice, the communications provider or local government shall cease making any
25 unauthorized expenditure, and may petition the commission for a hearing on the

1 question of whether an expenditure is authorized. The commission shall grant a
2 request for a hearing within a reasonable period. If, after the hearing, the
3 commission determines that an expenditure is not authorized, the commission shall
4 require the communications provider or local government to refund, within 90 days
5 of the commission's determination, the unauthorized expenditure.

6 (i) *Proprietary information.* Any information submitted by a communications
7 provider to the commission or the 911 council that the communications provider
8 designates as proprietary, and that the commission determines is proprietary, is
9 confidential and not subject to inspection or copying under s. 19.35, except with the
10 express consent of the communications provider. General information collected by
11 the commission or the 911 council may be released or published only in aggregate
12 amounts that do not identify or allow identification of numbers of subscribers or
13 revenues attributable to an individual communications provider.

14 (j) *Statewide plan.* The commission shall develop a statewide plan for
15 enhanced 911 services for the state. The plan shall be consistent with the plan
16 required under 47 USC 942 (b) (3) (A) (iii).

17 (k) *Rules.* The commission shall promulgate rules for administering the
18 requirements of this subsection.


19 (L) *Reports.* No later than February 28 of each odd-numbered year, the
20 commission shall submit a report to the legislature under s. 13.172 (2) that has
21 complete information regarding receipts and expenditures under this subsection
22 during the 2-year reporting period and that describes the status of the 911 system
23 in this state at the time of the report and the results of any related investigations
24 completed by the commission during the 2-year reporting period.

1 (m) *911 council*. The commission shall consult with the 911 council in carrying
2 out the commission's duties under this subsection.

3 **SECTION 2572hr.** 256.35 (3m) (a) 2. of the statutes is renumbered 256.35 (1)
4 (cp).

5 **SECTION 2572hu.** 256.35 (3m) (a) 3. of the statutes is renumbered 256.35 (1)
6 (em).

7 **SECTION 2572hy.** 256.35 (3m) (a) 4. of the statutes is renumbered 256.35 (1)
8 (es).”.

9  **737.** Page 1363, line 2: after that line insert:

10 “**SECTION 2573b.** 256.35 (5) of the statutes is created to read:

11 256.35 (5) REQUIREMENT TO PROVIDE ENHANCED 911 SERVICE. In accordance with
12 the federal wireless orders, no communications provider is required to provide
13 enhanced wireless 911 service until all of the following conditions are satisfied:

14 (a) The communications provider receives a request for the service from the
15 administrator of a public safety answering point that is capable of receiving and
16 utilizing the data elements associated with the service.

17 (b) The funds for reimbursement of the communications provider's costs are
18 available.

19 (c) The relevant local exchange carrier is able to support the requirements of
20 enhanced 911 service.

21 **SECTION 2573f.** 256.35 (7) of the statutes is amended to read:

22 256.35 (7) LIABILITY EXEMPTION. A telecommunications utility, wireless
23 provider, as defined in sub. (3m) (a) 6., person that provides exchange telephone
24 service to a telephone subscriber, cellular services, voice over Internet protocol

1 services, or cable telephony services, person that provides services to a device that
2 can access 911, or local government, as defined in sub. (3m) (a) 4., shall not be liable
3 to any person who uses an emergency number system created under this section or
4 makes an emergency telephone call initially routed to a wireless public safety
5 answering point, as defined in sub. (3m) (a) 7.

6 **SECTION 2573h.** 256.35 (8) of the statutes is created to read:

7 256.35 (8) SUBSCRIBER RECORDS AND INFORMATION. (a) Subscriber records that
8 a communications provider discloses to a public safety answering point remain the
9 property of the communications provider and use of the records is limited to
10 providing emergency services in response to 911 calls. Any communications provider
11 connection information of a subscriber, including the subscriber's address, that is
12 obtained by a public safety answering point for public safety purposes is not subject
13 to inspection or copying under s. 19.35.

14 (b) The disclosure or use of information contained in the database of the
15 telephone network portion of a 911 system, for other than operations of the 911
16 system, is prohibited.

17 (c) No later than 2 business days after a communications provider installs
18 service for a new subscriber, the communications provider shall provide the relevant
19 public safety answering point with subscriber information necessary to update the
20 master street address guide or location database used by the public safety answering
21 point to respond to emergency calls and the public safety answering point shall make
22 the update.”.

23 ✓**738.** Page 1363, line 3: delete lines 3 to 5.

24 ✓**739.** Page 1363, line 5: after that line insert:

1 “SECTION 2574h. 281.14 of the statutes is created to read:

2 **281.14 Wisconsin River monitoring and study. (1)** In this section:

3 (a) “Nonpoint source” has the meaning given in s. 281.16 (1) (e).

4 (b) “Point source” has the meaning given in s. 283.01 (12).

5 **(2)** The department shall conduct a program to monitor and study the
6 introduction of nutrients from point sources and nonpoint sources into the Wisconsin
7 River from the city of Merrill to the Castle Rock Flowage dam. The department shall
8 seek to do all of the following under this subsection:

9 (a) Identify the amounts of nutrients being introduced into the river.

10 (b) Characterize and quantify the nutrients, in particular nitrogen and
11 phosphorus, introduced into the river from nonpoint sources relative to climate, land
12 use, soil type, elevation, and drainage.

13 (c) Collect water quality information for locations on the river itself and for
14 major tributaries and major impoundments to use in evaluating the biological,
15 physical, and chemical properties of the water and to use as data in watershed and
16 river models.

17 (d) Use watershed and river models and the information collected under this
18 subsection and from other sources to forecast the effect on water quality of different
19 methods of reducing the amounts of nutrients introduced into the river.

20 (e) Develop tools to use in selecting and implementing methods of reducing the
21 amounts of nutrients introduced into the river.”.

22 ✓ **740.** Page 1385, line 17: delete lines 17 to 25.

23 ✓ **741.** Page 1386, line 1: delete lines 1 to 7.

24 ✓ **742.** Page 1391, line 7: delete lines 7 to 9.

1 ✓ **743.** Page 1391, line 10: delete “(b) 1.” and substitute “283.31 (8) (a)”.

2 ✓ **744.** Page 1391, line 11: delete the material beginning with “or” and ending
3 with “subd. 2” on line 12.

4 ✓ **745.** Page 1391, line 13: delete lines 13 to 17 and substitute:

5 “(b) Of each fee paid under par. (a), \$95 shall be credited to the appropriation
6 account under s. 20.370 (4) (mi).

7 (c) The department shall annually submit a report to the joint committee on
8 finance and, under s. 13.172 (3), to the standing committees of the legislature with
9 jurisdiction over agricultural and environmental matters describing the use of the
10 moneys credited to the appropriation account under s. 20.370 (4) (mi) under par. (b).”.

11 ✓ **746.** Page 1396, line 5: delete the material beginning with that line and
12 ending with page 1397, line 4.

13 ✓ **747.** Page 1397, line 4: after that line insert:

14 “SECTION 2649g. 289.01 (4m) of the statutes is created to read:

15 289.01 (4m) “Building waste” means solid waste resulting from the
16 construction, demolition, or razing of buildings.

17 SECTION 2650g. 289.01 (5m) of the statutes is created to read:

18 289.01 (5m) “Construction landfill” means a solid waste disposal facility used
19 for the disposal of only construction and demolition wastes.

20 SECTION 2651g. 289.01 (5r) of the statutes is created to read:

21 289.01 (5r) “Construction and demolition waste” means solid waste resulting
22 from the construction, demolition, or razing of buildings, roads, and other
23 structures.”.

(end of G)