

1 1. The person drives or operates a motor vehicle while under the influence of
2 tetrahydrocannabinols in violation of s. 346.63 (1) or a local ordinance in conformity
3 with s. 346.63 (1).

4 2. While under the influence of tetrahydrocannabinols, the person operates
5 heavy machinery or engages in any other conduct that endangers the health or
6 well-being of another person.

7 3. The person smokes cannabis in, on, or at any of the following places:

8 a. A school bus or a public transit vehicle.

9 b. The person's place of employment.

10 c. Public or private school premises.

11 d. A juvenile correctional facility.

12 e. A jail or adult correctional facility.

13 f. A public park, beach, or recreation center.

14 g. A youth center.

15 (4) For the purposes of a defense raised under sub. (1), (2), or (3) (a), a valid
16 registry identification card, a valid out-of-state registry identification card, or a
17 written certification is presumptive evidence that the person identified on the card
18 as a qualifying patient or the subject of the written certification is a qualifying
19 patient and that, if the person uses tetrahydrocannabinols, he or she does so to
20 alleviate the symptoms or effects of a debilitating medical condition or treatment.

21 (5) Notwithstanding s. 227.12 (1), any person may petition the department of
22 health services to promulgate a rule to designate a medical condition or treatment
23 as a debilitating medical condition or treatment. The department of health services
24 shall promulgate rules providing for public notice of and a public hearing regarding
25 a petition, with the public hearing providing persons an opportunity to comment

1 upon the petition. After the hearing, but no later than 180 days after the submission
2 of the petition, the department of health services shall approve or deny the petition.
3 The department of health service's decision to approve or deny a petition is subject
4 to judicial review under s. 227.52.

5 **SECTION 2161.** 961.455 (title) of the statutes is amended to read:

6 **961.455 (title) Using a child minor for illegal drug distribution or**
7 **manufacturing purposes.**

8 **SECTION 2162.** 961.455 (1) of the statutes is amended to read:

9 961.455 (1) Any person ~~who has attained the age of 17 years~~ adult who
10 knowingly solicits, hires, directs, employs, or uses a person ~~who is under the age of~~
11 ~~17 years~~ minor for the purpose of violating s. 961.41 (1) is guilty of a Class F felony.

12 **SECTION 2163.** 961.455 (2) of the statutes is amended to read:

13 961.455 (2) The knowledge requirement under sub. (1) does not require proof
14 of knowledge of the age of the ~~child~~ minor. It is not a defense to a prosecution under
15 this section that the actor mistakenly believed that the person solicited, hired,
16 directed, employed, or used under sub. (1) had attained the age of 18 years, even if
17 the mistaken belief was reasonable.

18 **SECTION 2164.** 961.46 of the statutes is amended to read:

19 **961.46 Distribution to persons under age 18.** If a person 17 years of age
20 or over violates s. 961.41 (1), ~~except s. 961.41 (1) (h) 1g.,~~ by distributing or delivering
21 a controlled substance or a controlled substance analog to a person 17 years of age
22 or under who is at least 3 years his or her junior, the applicable maximum term of
23 imprisonment prescribed under s. 961.41 (1) for the offense may be increased by not
24 more than 5 years.

1 **SECTION 2165.** 961.46 of the statutes, as affected by 2019 Wisconsin Act (this
2 act), is amended to read:

3 **961.46 Distribution to persons under age 18 minors.** If a person 17 years
4 of age or over an adult violates s. 961.41 (1), except s. 961.41 (1) (h) 1g., by distributing
5 or delivering a controlled substance or a controlled substance analog to a person 17
6 years of age or under minor who is at least 3 years his or her junior, the applicable
7 maximum term of imprisonment prescribed under s. 961.41 (1) for the offense may
8 be increased by not more than 5 years.

 ****NOTE: This is reconciled s. 961.46. This SECTION has been affected by drafts
with the following LRB numbers: 1701/p2 and 1996/p2.

9 **SECTION 2166.** 961.52 (2) (a) 1. and 2. of the statutes are amended to read:
10 961.52 (2) (a) 1. Places where persons authorized under s. 961.32 (~~1m~~) to
11 possess controlled substances in this state are required by federal law to keep
12 records; and
13 2. Places including factories, warehouses, establishments and conveyances in
14 which persons authorized under s. 961.32 (~~1m~~) to possess controlled substances in
15 this state are permitted by federal law to hold, manufacture, compound, process, sell,
16 deliver or otherwise dispose of any controlled substance.

17 **SECTION 2167.** 961.55 (8) (c), (d) and (e) of the statutes are created to read:
18 961.55 (8) (c) A valid registry identification card or a valid out-of-state registry
19 identification card.
20 (d) The person's written certification, if the person is a qualifying patient.
21 (e) A written certification for a qualifying patient for whom the person is a
22 primary caregiver.

23 **SECTION 2168.** 961.555 (2) (am) 6. of the statutes is amended to read:

1 961.555 (2) (am) 6. The property is contraband that is subject to forfeiture
2 under s. 961.55 (6), (6m), or, unless the defendant invokes a defense under s. 961.436
3 or 961.5755, under s. 961.55 (6) or (7).

4 **SECTION 2169.** 961.555 (2r) of the statutes is created to read:

5 961.555 (2r) MEDICAL USE DEFENSE. (a) In an action to forfeit property seized
6 under s. 961.55, the person who was in possession of the property when it was seized
7 has a defense to the forfeiture of the property if any of the following applies:

8 1. The person was prosecuted under s. 961.41 (1) (h), (1m) (h), or (3g) (e),
9 961.573 (1), 961.574 (1), or 961.575 (1) in connection with the seized property but had
10 a valid defense under s. 961.436 (1), (2), or (3) (a) or 961.5755 (1) (a) or (2).

11 2. The person was not prosecuted under s. 961.41 (1) (h), (1m) (h), or (3g) (e),
12 961.573 (1), 961.574 (1), or 961.575 (1) in connection with the seized property, but,
13 if the person had been, he or she would have had a valid defense under s. 961.436 (1),
14 (2), or (3) (a) or 961.5755 (1) (a) or (2).

15 (b) The owner of property seized under s. 961.55 who is raising a defense under
16 par. (a) shall do so in the answer to the complaint that he or she serves under sub.
17 (2) (b). If a property owner raises such a defense in his or her answer, the state must,
18 as part of the burden of proof specified in sub. (3), prove that the facts constituting
19 the defense do not exist.

20 **SECTION 2170.** 961.56 (1) of the statutes is amended to read:

21 961.56 (1) It Except as provided in s. 961.555 (2r) (b) and except for any
22 presumption arising under s. 961.436 (4) or 961.5755 (3), it is not necessary for the
23 state to negate any exemption or exception in this chapter in any complaint,
24 information, indictment or other pleading or in any trial, hearing or other proceeding

1 under this chapter. ~~The, and the~~ burden of proof of any exemption or exception is
2 upon the person claiming it.

3 **SECTION 2171.** 961.573 (2) of the statutes is amended to read:

4 961.573 (2) Any person minor who violates sub. (1) ~~who is under 17 years of age~~
5 is subject to a disposition under s. 938.344 (2e).

6 **SECTION 2172.** 961.574 (2) of the statutes is amended to read:

7 961.574 (2) Any person minor who violates sub. (1) ~~who is under 17 years of age~~
8 is subject to a disposition under s. 938.344 (2e).

9 **SECTION 2173.** 961.575 (1) of the statutes is amended to read:

10 961.575 (1) Any person ~~17 years of age or over~~ adult who violates s. 961.574 (1)
11 by delivering drug paraphernalia to a person ~~17 years of age or under~~ minor who is
12 at least 3 years younger than the violator may be fined not more than \$10,000 or
13 imprisoned for not more than 9 months or both.

14 **SECTION 2174.** 961.575 (2) of the statutes is amended to read:

15 961.575 (2) Any person minor who violates this section ~~who is under 17 years~~
16 ~~of age~~ is subject to a disposition under s. 938.344 (2e).

17 **SECTION 2175.** 961.575 (3) of the statutes is amended to read:

18 961.575 (3) Any person ~~17 years of age or over~~ adult who violates s. 961.574 (3)
19 by delivering drug paraphernalia to a person ~~17 years of age or under~~ minor is guilty
20 of a Class G felony.

21 **SECTION 2176.** 961.5755 of the statutes is created to read:

22 **961.5755 Medical tetrahydrocannabinols defense in drug**
23 **paraphernalia cases.** (1) (a) Except as provided in par. (b), a member of a
24 treatment team has a defense to prosecution under s. 961.573 (1) if he or she uses,

1 or possesses with the primary intent to use, drug paraphernalia for medication with
2 tetrahydrocannabinols.

3 (b) This subsection does not apply if while the person uses, or possesses with
4 the primary intent to use, drug paraphernalia s. 961.436 (3) (b) 1., 2., or 3. applies.

5 (2) A member of a treatment team has a defense to prosecution under s. 961.574
6 (1) or 961.575 (1) if he or she delivers, possesses with intent to deliver, or
7 manufactures with intent to deliver to another member of his or her treatment team
8 drug paraphernalia, knowing that it will be primarily used by the treatment team
9 for medication with tetrahydrocannabinols.

10 (3) For the purposes of a defense raised under sub. (1) (a) or (2), a valid registry
11 identification card, a valid out-of-state registry identification card, or a written
12 certification is presumptive evidence that the person identified on the valid registry
13 identification card or valid out-of-state registry identification card as a qualifying
14 patient or the subject of the written certification is a qualifying patient and that, if
15 the person uses tetrahydrocannabinols, he or she does so to alleviate the symptoms
16 or effects of his or her debilitating medical condition or treatment.

17 **SECTION 2177.** 968.072 of the statutes is created to read:

18 **968.072 Medical cannabis; arrest and prosecution. (1) DEFINITIONS.** In
19 this section:

20 (a) "Lockable, enclosed facility" has the meaning given in s. 961.01 (12v).

21 (am) "Maximum authorized amount" has the meaning given in s. 961.01 (14c).

22 (b) "Medication with tetrahydrocannabinols" has the meaning given in s.
23 961.01 (14g).

24 (bm) "Out-of-state registry identification card" has the meaning given in s.
25 146.44 (1) (cm).

1 (c) "Primary caregiver" has the meaning given in s. 146.44 (1) (d).

2 (d) "Qualifying patient" has the meaning given in s. 146.44 (1) (e).

3 (e) "Registry identification card" has the meaning given in s. 146.44 (1) (g).

4 (f) "Treatment team" has the meaning given in s. 961.01 (20t).

5 (g) "Written certification" has the meaning given in s. 146.44 (1) (h).

6 **(2) LIMITATIONS ON ARRESTS AND PROSECUTION; MEDICAL CANNABIS.** Unless s.
7 961.436 (3) (b) 1., 2., or 3. applies, a member of a qualifying patient's treatment team
8 may not be arrested or prosecuted for a violation of s. 961.41 (1) (h), (1m) (h), or (3g)
9 (e) if all of the following apply:

10 (a) The member manufactures, distributes, delivers, or possesses
11 tetrahydrocannabinols for medication with tetrahydrocannabinols by the treatment
12 team.

13 (b) The member possesses a valid registry identification card, a valid
14 out-of-state registry identification card, or a copy of the qualifying patient's written
15 certification.

16 (c) The quantity of cannabis does not exceed the maximum authorized amount.

17 (d) Any live cannabis plants are in a lockable, enclosed facility unless the
18 member is accessing the plants or has the plants in his or her possession.

19 (e) If the member is a primary caregiver, he or she is not a primary caregiver
20 to more than 10 qualifying patients.

21 **(3) LIMITATIONS ON ARRESTS AND PROSECUTION; DRUG PARAPHERNALIA FOR MEDICAL**
22 **CANNABIS.** (a) Unless s. 961.436 (3) (b) 1., 2., or 3. applies, a member of a treatment
23 team may not be arrested or prosecuted for a violation of s. 961.573 (1) if all of the
24 following apply:

1 1. The member uses, or possesses with the primary intent to use, drug
2 paraphernalia only for medication with tetrahydrocannabinols.

3 2. The member possesses a valid registry identification card, a valid
4 out-of-state registry identification card, or a copy of the qualifying patient's written
5 certification.

6 3. The member does not possess more than the maximum authorized amount
7 of cannabis.

8 4. Any live cannabis plants are in a lockable, enclosed facility unless the
9 member is accessing the plants or has the plants in his or her possession.

10 5. If the member is a primary caregiver, he or she is not a primary caregiver
11 to more than 10 qualifying patients.

12 (b) Unless s. 961.436 (3) (b) 1., 2., or 3. applies, a member of a treatment team
13 may not be arrested or prosecuted for a violation of s. 961.574 (1) or 961.575 (1) if all
14 of the following apply:

15 1. The member delivers, possesses with intent to deliver, or manufactures with
16 intent to deliver to another member of his or her treatment team drug paraphernalia,
17 knowing that it will be primarily used by the treatment team for medication with
18 tetrahydrocannabinols.

19 2. The member possesses a valid registry identification card, a valid
20 out-of-state registry identification card, or a copy of the qualifying patient's written
21 certification.

22 3. The member does not possess more than the maximum authorized amount
23 of cannabis.

24 4. Any live cannabis plants are in a lockable, enclosed facility unless the
25 member is accessing the plants or has the plants in his or her possession.

1 5. If the member is a primary caregiver, he or she is not a primary caregiver
2 to more than 10 qualifying patients.

3 **(4) LIMITATIONS ON ARRESTS, PROSECUTION, AND OTHER SANCTIONS.** (a) A
4 practitioner may not be arrested and a practitioner, hospital, or clinic may not be
5 subject to prosecution, denied any right or privilege, or penalized in any manner for
6 making or providing a written certification in good faith.

7 (b) An employee of a dispensary licensed under s. 94.57, of an entity operating
8 under the policies determined under s. 94.57 (2) and rules promulgated under s.
9 94.57 (9), or of a testing laboratory registered under s. 94.57 (7) may not be arrested
10 and such employee may not be subject to prosecution, denied any right or privilege,
11 or penalized in any manner for any good faith action under s. 94.57.

12 **(5) PENALTY FOR FALSE STATEMENTS.** Whoever intentionally provides false
13 information to a law enforcement officer in an attempt to avoid arrest or prosecution
14 under this section for a violation of s. 961.41 (1) (h), (1m) (h), or (3g) (e), 961.573 (1),
15 961.574 (1), or 961.575 (1) may be fined not more than \$500.

16 **SECTION 2178.** 968.12 (6) of the statutes is created to read:

17 968.12 **(6) MEDICAL CANNABIS.** A person's possession, use, or submission of or
18 connection with an application for a registry identification card under s. 146.44 (2),
19 the issuance of such a card under s. 146.44 (4), or a person's possession of such a card,
20 a valid out-of-state registry identification card, as defined in s. 146.44 (1) (cm), or
21 an original or a copy of a written certification, as defined in s. 146.44 (1) (h), may not,
22 by itself, constitute probable cause under sub. (1) or otherwise subject any person or
23 the property of any person to inspection by any governmental agency.

24 **SECTION 2179.** 968.19 of the statutes is renumbered 968.19 (1) and amended
25 to read:

1 968.19 (1) ~~Property~~ Except as provided in sub. (2), property seized under a
2 search warrant or validly seized without a warrant shall be safely kept by the officer,
3 who may leave it in the custody of the sheriff and take a receipt therefor, so long as
4 necessary for the purpose of being produced as evidence on any trial.

5 **SECTION 2180.** 968.19 (2) of the statutes is created to read:

6 968.19 (2) A law enforcement agency that has seized a live cannabis plant is
7 not responsible for the plant's care and maintenance.

8 **SECTION 2181.** 968.20 (1g) (intro.) of the statutes is amended to read:

9 968.20 (1g) (intro.) The court shall order such notice as it deems adequate to
10 be given the district attorney and, unless notice was provided under s. 968.26 (7), to
11 all persons who have or may have an interest in the property. The court shall hold
12 a hearing to hear all claims to its true ownership. Except for a hearing commenced
13 by the court, the hearing shall occur no more than 30 days after a motion is filed
14 except that either party may, by agreement or for good cause, move the court for one
15 extension of no more than 10 days. Any motion may be supported by affidavits or
16 other submissions. If the right to possession is proved to the court's satisfaction, it
17 shall order the property, ~~other than contraband or property covered under sub. (1m)~~
18 ~~or (1r) or s. 173.21 (4) or 968.205~~, returned if the court finds any of the following:

19 **SECTION 2182.** 968.20 (1j) of the statutes is created to read:

20 968.20 (1j) (a) In this subsection:

21 1. "Drug paraphernalia" has the meaning given in s. 961.571 (1) (a).

22 2. "Tetrahydrocannabinols" means a substance included in s. 961.14 (4) (t).

23 (b) Except as provided in par. (c), sub. (1g) does not apply to contraband or
24 property covered under sub. (1m) or (1r) or s. 173.12, 173.21 (4), or 968.205.

1 (c) Under sub. (1g), the court may return drug paraphernalia or
2 tetrahydrocannabinols that have been seized to the person from whom they were
3 seized if any of the following applies:

4 1. The person was prosecuted under s. 961.41 (1) (h), (1m) (h), or (3g) (e),
5 961.573 (1), 961.574 (1), or 961.575 (1) in connection with the seized property but had
6 a valid defense under s. 961.436 (1), (2), or (3) (a) or 961.5755 (1) (a) or (2).

7 2. The person was not prosecuted under s. 961.41 (1) (h), (1m) (h), or (3g) (e),
8 961.573 (1), 961.574 (1), or 961.575 (1) in connection with the seized property, but,
9 if the person had been, he or she would have had a valid defense under s. 961.436 (1),
10 (2), or (3) (a) or 961.5755 (1) (a) or (2).

11 **SECTION 2183.** 973.016 of the statutes is created to read:

12 **973.016 Special disposition for marijuana-related crimes. (1)**

13 **DISMISSAL OF CONVICTION FOR PERSONS SERVING A SENTENCE OR PROBATION.** (a) A person
14 serving a sentence or on probation may request dismissal as provided under par. (b)
15 if one of the following applies:

16 1. The sentence or probation period was imposed for a conviction under s.
17 961.41 (1) (h), 2017 stats., or s. 961.41 (1m) (h), 2017 stats., and the person proves
18 to the court by a preponderance of the evidence that the amount of marijuana
19 involved was 25 grams or less, or 2 or fewer plants.

20 2. The sentence or probation period was imposed for a conviction under s.
21 961.41 (3g) (e), 2017 stats., and the person proves to the court by a preponderance
22 of the evidence that the amount of marijuana involved was 25 grams or less.

23 (b) A person to whom par. (a) applies shall file a petition with the sentencing
24 court to request dismissal of the conviction. If the court receiving a petition under
25 this paragraph determines that par. (a) applies, the court may grant the petition

1 without a hearing or may schedule a hearing to consider the petition. If a hearing
2 is scheduled, unless the person cannot prove the amount of marijuana involved was
3 25 grams or less or the court determines that the dismissal of the conviction presents
4 an unreasonable risk of danger to public safety, the court shall grant the petition.

5 (2) EXPUNGING AN OFFENSE FOR PERSONS WHO COMPLETED A SENTENCE OR
6 PROBATION. (a) A person who has completed his or her sentence or period of probation
7 may request under par. (b) expungement of the conviction if one of the following
8 applies:

9 1. The sentence or probation period was imposed for a conviction under s.
10 961.41 (1) (h), 2017 stats., or s. 961.41 (1m) (h), 2017 stats., and the person proves
11 to the court by a preponderance of the evidence that the amount of marijuana
12 involved was 25 grams or less, or 2 or fewer plants.

13 2. The sentence or probation period was imposed for a conviction under s.
14 961.41 (3g) (e), 2017 stats., and the person proves to the court by a preponderance
15 of the evidence that the amount of marijuana involved was 25 grams or less.

16 (b) A person to whom par. (a) applies shall file a petition with the sentencing
17 court to request expungement of the conviction. If the court receiving a petition
18 under this paragraph determines that par. (a) applies, the court may grant the
19 petition without a hearing or may schedule a hearing to consider the petition. If a
20 hearing is scheduled, unless the person cannot prove the amount of marijuana
21 involved was 25 grams or less or the court determines that expungement of the
22 conviction presents an unreasonable risk of danger to public safety, the court shall
23 grant the petition.

1 **(3) CRIMES DISMISSED OR EXPUNGED UNDER THIS SECTION.** A conviction that has
2 been expunged or dismissed under this section is not considered a conviction for any
3 purpose under state or federal law, including for purposes of s. 941.29 or 18 USC 921.

4 **SECTION 2184.** 973.20 (1r) of the statutes is amended to read:

5 **973.20 (1r)** When imposing sentence or ordering probation for any crime, other
6 than a crime involving conduct that constitutes domestic abuse under s. 813.12 (1)
7 (am) or 968.075 (1) (a), for which the defendant was convicted, the court, in addition
8 to any other penalty authorized by law, shall order the defendant to make full or
9 partial restitution under this section to any victim of a crime considered at
10 sentencing or, if the victim is deceased, to his or her estate, unless the court finds
11 substantial reason not to do so and states the reason on the record. When imposing
12 sentence or ordering probation for a crime involving conduct that constitutes
13 domestic abuse under s. 813.12 (1) (am) or 968.075 (1) (a) for which the defendant was
14 convicted or that was considered at sentencing, the court, in addition to any other
15 penalty authorized by law, shall order the defendant to make full or partial
16 restitution under this section to any victim of a crime or, if the victim is deceased, to
17 his or her estate, unless the court finds that imposing full or partial restitution will
18 create an undue hardship on the defendant or victim and describes the undue
19 hardship on the record. Restitution ordered under this section is a condition of
20 probation, extended supervision, or parole served by the defendant for a crime for
21 which the defendant was convicted. After the termination of probation, extended
22 supervision, or parole, or if the defendant is not placed on probation, extended
23 supervision, or parole, restitution ordered under this section is enforceable in the
24 same manner as a judgment in a civil action by the victim named in the order to

1 receive restitution or enforced under ch. 785, and the department or clerk of court
2 may certify the restitution to the department of revenue in accordance with s. 71.93.

3 **SECTION 2185.** 977.08 (4m) (c) of the statutes is amended to read:

4 977.08 (4m) (c) Unless otherwise provided by a rule promulgated under s.
5 977.02 (7r) or by a contract authorized under sub. (3) (f), for cases assigned on or after
6 July 29, 1995, and before January 1, 2020, private local attorneys shall be paid \$40
7 per hour for time spent related to a case, excluding travel, and \$25 per hour for time
8 spent in travel related to a case if any portion of the trip is outside the county in which
9 the attorney's principal office is located or if the trip requires traveling a distance of
10 more than 30 miles, one way, from the attorney's principal office.

11 **SECTION 2186.** 977.08 (4m) (d) of the statutes is created to read:

12 977.08 (4m) (d) Unless otherwise provided by a rule promulgated under s.
13 977.02 (7r) or by a contract authorized under sub. (3) (f), for cases assigned on or after
14 January 1, 2020, private local attorneys shall be paid \$70 per hour for time spent
15 related to a case, excluding travel, and \$25 per hour for time spent in travel related
16 to a case if any portion of the trip is outside the county in which the attorney's
17 principal office is located or if the trip requires traveling a distance of more than 30
18 miles, one way, from the attorney's principal office.

19 **SECTION 2187.** 977.08 (4s) of the statutes is created to read:

20 977.08 (4s) The rates established under sub. (4m) (d) shall be adjusted
21 biennially by a percentage equal to the average of the consumer price index over the
22 preceding 12-month period, all items, U.S. city average, as determined by the
23 bureau of labor statistics of the federal department of labor, except that the
24 percentage under this subsection may not be less than zero.

****NOTE: Current law limits in several places the amount that a guardian ad litem may be paid to the amount in s. 977.08 (4m) (b), which is \$50 per hour for time spent in court; \$40 per hour for time spent out of court, excluding travel; and \$25 per hour for time spent in travel. Do you want those limits to be changed to correspond with the higher hourly rate in the newly created s. 977.08 (4m) (d)?

1 **SECTION 2188.** 978.05 (6) (a) of the statutes is amended to read:

2 978.05 (6) (a) Institute, commence, or appear in all civil actions or special
3 proceedings under and perform the duties set forth for the district attorney under ch.
4 980 and ss. 17.14, 30.03 (2), 48.09 (5), 59.55 (1), 59.64 (1), 70.36, 89.08, 103.50 (8),
5 103.92 (4), 109.09, 343.305 (9) (a), 806.05, 938.09, 938.18, 938.355 (6) (b) and (6g) (a),
6 946.86, 946.87, 961.55 (5), 971.14 and 973.075 to 973.077, perform any duties in
7 connection with court proceedings in a court assigned to exercise jurisdiction under
8 chs. 48 and 938 as the judge may request and perform all appropriate duties and
9 appear if the district attorney is designated in specific statutes, including matters
10 within chs. 782, 976 and 979 and ss. 51.81 to 51.85. Nothing in this paragraph limits
11 the authority of the county board to designate, under s. 48.09 (5), that the corporation
12 counsel provide representation as specified in s. 48.09 (5) or to designate, under s.
13 48.09 (6) or 938.09 (6), the district attorney as an appropriate person to represent the
14 interests of the public under s. 48.14 or 938.14.

15 **SECTION 2189.** 990.01 (2) of the statutes is amended to read:

16 990.01 (2) ACQUIRE. "Acquire," when used in connection with a grant of power
17 to any person, includes the acquisition by purchase, grant, gift or bequest. It includes
18 the power to condemn only in the cases specified in s. 32.02 and ~~subject to the~~
19 ~~limitations under s. 32.015.~~

20 **SECTION 2190.** 990.01 (3) of the statutes is amended to read:

21 990.01 (3) ADULT. "Adult" means a person who has attained the age of 18 years,
22 ~~except that for purposes of investigating or prosecuting a person who is alleged to~~

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1 ~~have violated any state or federal criminal law or any civil law or municipal~~
2 ~~ordinance, "adult" means a person who has attained the age of 17 years.~~

3 **SECTION 2191.** 990.01 (20) of the statutes is amended to read:

4 990.01 (20) MINOR. "Minor" means a person who has not attained the age of
5 18 years, ~~except that for purposes of investigating or prosecuting a person who is~~
6 ~~alleged to have violated a state or federal criminal law or any civil law or municipal~~
7 ~~ordinance, "minor" does not include a person who has attained the age of 17 years.~~

8 **SECTION 2192.** Chapter VA 4 of the administrative code is repealed.

9 **SECTION 2193.** 2017 Wisconsin Act 59, sections 202e, 202g, 1646t to 1646y,
10 1655g to 1655j, 1806f and 9439 (4t) are repealed.

****NOTE: 2017 Wisconsin Act 59 also repealed the loan program under s. 145.245
(12m), 2015 stats., on the effective date of the act. This bill, as currently drafted, does not
restore that loan program. Let me know if that is not consistent with your intent.

11 **SECTION 2194.** 2017 Wisconsin Act 185, section 110 (1) (a) is amended to read:

12 [2017 Wisconsin Act 185] Section 110 (1) (a) Upon the establishment of the Type
13 1 juvenile correctional facilities under subsection (7) and the secured residential care
14 centers for children and youth under subsections (4) and (7m), the department of
15 corrections shall begin to transfer each juvenile held in secure custody at the Lincoln
16 Hills School and Copper Lake School to the appropriate Type 1 juvenile correctional
17 facility or secured residential care center for children and youth. No juvenile may
18 be transferred to a Type 1 juvenile correctional facility until the department of
19 corrections determines the facility to be ready to accept juveniles, and no juvenile
20 may be transferred to a secured residential care center for children and youth until
21 the entity operating the facility determines it to be ready to accept juveniles. The
22 transfers may occur in phases. The department shall transfer ~~all juveniles~~ a juvenile

1 under this subsection ~~no later than January 1, 2021~~ as soon as a substitute
2 placement that meets the needs of that juvenile is ready.

3 **SECTION 2195.** 2017 Wisconsin Act 185, section 110 (2) (a) is amended to read:

4 [2017 Wisconsin Act 185] Section 110 (2) (a) On the ~~earlier of the date on which~~
5 all juveniles have been transferred to secured residential care centers for children
6 and youth and Type 1 juvenile correctional facilities under subsection (1) ~~or January~~
7 ~~1, 2021~~, the department of corrections shall permanently close the Type 1 juvenile
8 correctional facilities housed at the Lincoln Hills School and Copper Lake School in
9 the town of Birch, Lincoln County.

10 **SECTION 2196.** 2017 Wisconsin Act 185, section 110 (3) (a) 4. and 5. are
11 amended to read:

12 [2017 Wisconsin Act 185] Section 110 (3) (a) 4. ~~Three~~ Two senators appointed
13 by the senate majority leader or the appointed senator's designee and one senator
14 appointed by the senate minority leader or the appointed senator's designee.

15 5. ~~Three~~ Two representatives to the assembly appointed by the speaker of the
16 assembly or that appointed representative's designee and one representative to the
17 assembly appointed by the assembly minority leader or the appointed
18 representative's designee.

19 **SECTION 2197.** 2017 Wisconsin Act 185, section 110 (3) (c) is amended to read:

20 [2017 Wisconsin Act 185] Section 110 (3) (c) *Termination.* The juvenile
21 corrections grant committee terminates on the ~~earlier of the date on which all~~
22 projects funded with grants under subsection (4) are completed ~~or January 1, 2021.~~

23 **SECTION 2198.** 2017 Wisconsin Act 185, section 110 (4) (d) is amended to read:

24 [2017 Wisconsin Act 185] Section 110 (4) (d) *Deadline.* Grant applications are
25 due no later than ~~March 31~~ June 30, 2019. Between that date and ~~June 30~~

SECTION 2198

1 September 30, 2019, the juvenile corrections grant committee may work with
2 applicants to modify their applications in order to increase the likelihood of being
3 awarded a grant.

4 **SECTION 2199.** 2017 Wisconsin Act 185, section 110 (4) (f) is amended to read:

5 [2017 Wisconsin Act 185] Section 110 (4) (f) *Plan approval*. No later than July
6 October 1, 2019, the juvenile corrections grant committee shall submit the plan
7 under paragraph (e) for approval to the joint committee on finance. The juvenile
8 corrections grant committee and the department of corrections may not implement
9 the plan until it is approved by the joint committee on finance, as submitted or as
10 modified.

11 **SECTION 2200.** 2017 Wisconsin Act 185, section 110 (6) (e) is amended to read:

12 [2017 Wisconsin Act 185] Section 110 (6) (e) *Termination*. The juvenile
13 corrections study committee terminates on January 1, 2021 the date on which all
14 projects funded with grants under subsection (4) are completed.

15 **SECTION 2201.** 2017 Wisconsin Act 185, section 110 (7) is amended to read:

16 [2017 Wisconsin Act 185] Section 110 (7) TYPE 1 JUVENILE CORRECTIONAL
17 FACILITIES. The department of corrections shall establish or construct the Type 1
18 juvenile correctional facilities under section 301.16 (1w) (a) of the statutes ~~no later~~
19 ~~than January 1, 2021~~, subject to the approval of the joint committee on finance. The
20 department shall consider the recommendations of the juvenile corrections study
21 committee under subsection (6) (c) 2. in establishing or constructing these facilities.

22 **SECTION 2202.** 2017 Wisconsin Act 185, section 110 (7g) is amended to read:

23 [2017 Wisconsin Act 185] Section 110 (7g) MENDOTA JUVENILE TREATMENT
24 CENTER. The department of health services shall construct an expansion of the

1 Mendota juvenile treatment center to accommodate no fewer than 29 additional
2 juveniles, ~~subject to the approval of the joint committee on finance.~~

3 **SECTION 2203.** 2017 Wisconsin Act 185, section 110 (7m) (b) is amended to read:

4 [2017 Wisconsin Act 185] Section 110 (7m) (b) 1. Notwithstanding section
5 938.22 (1) and (2) of the statutes, except as provided in subdivision 2., on January
6 ~~1, 2021~~ the effective date of this subdivision, the portion of an eligible juvenile
7 detention facility that holds juveniles who are placed under section 938.34 (3) (f) of
8 the statutes for more than 30 days is a secured residential care center for children
9 and youth and juveniles may be placed there under section 938.34 (4m) of the
10 statutes.

11 2. Notwithstanding subdivision 1., on ~~January 1, 2021~~ the effective date of this
12 subdivision, the portion of an eligible juvenile detention facility that holds juveniles
13 who are placed under section 938.34 (3) (f) of the statutes for more than 30 days is,
14 with respect to a juvenile placed under section 938.34 (3) (f) of the statutes prior to
15 ~~January 1, 2021~~ the effective date of this subdivision, a juvenile detention facility.

16 **SECTION 2204.** 2017 Wisconsin Act 185, section 111 (3) is amended to read:

17 [2017 Wisconsin Act 185] Section 111 (3) The treatment of section 938.34 (3) (f)
18 1. of the statutes, with respect to an eligible juvenile detention facility under SECTION
19 110 (7m), first applies to a juvenile adjudicated delinquent on ~~January 1, 2021~~ the
20 effective date of this subsection.

21 **SECTION 2205.** 2017 Wisconsin Act 185, section 112 (1) is amended to read:

22 [2017 Wisconsin Act 185] Section 112 (1) The treatment of sections 46.011 (1p)
23 (by SECTION 13), 46.057 (1) (by SECTION 15), 48.023 (4) (by SECTION 20), 49.11 (1c) (by
24 SECTION 27), 49.45 (25) (bj) (by SECTION 29), 301.01 (1n) (by SECTION 35), 301.03 (10)
25 (d) (by SECTION 38), 301.20, 938.02 (4) (by SECTION 50), 938.34 (2) (a) (by SECTION 57)

1 and (b) (by SECTION 59) and (4m) (intro.) (by SECTION 62), 938.357 (4) (am) (by SECTION
2 70), 938.48 (3) (by SECTION 78), (4) (by SECTION 80), (4m) (b) (by SECTION 82), (5) (by
3 SECTION 84), (6) (by SECTION 86), and (14) (by SECTION 88), 938.505 (1) (by SECTION 96),
4 938.52 (2) (a) and (c) (by SECTION 98), 938.53 (by SECTION 100), and 938.54 (by SECTION
5 107) of the statutes ~~take~~ and SECTIONS 110 (7m) (b) and 111 (3) of this act take effect
6 on the date specified in the notice under SECTION 110 (2) (b) ~~or January 1, 2021,~~
7 ~~whichever is earlier.~~

8 SECTION 2206. 2017 Wisconsin Act 369, section 102 (2m), (2s), (2t) and (2v) are
9 repealed.

10 SECTION 2207. 2017 Wisconsin Act 370, Section 44 (2) and (3) are repealed.

11 SECTION 2208. 2017 Wisconsin Act 370, section 44 (5) is repealed.

12 **SECTION 9101. Nonstatutory provisions; Administration.**

13 (1) TRANSFER OF HIGH-VOLTAGE TRANSMISSION LINE FEES.

14 (a) *Definition.* In this subsection, "fees" means the annual impact and onetime
15 environmental impact fees required to be paid under the rules promulgated under
16 s. 16.969 (2) (a) and (b), 2017 stats.

17 (b) *Assets and liabilities.* On the effective date of this paragraph, the assets and
18 liabilities of the department of administration primarily relating to the fees, as
19 determined by the secretary of administration, become the assets and liabilities of
20 the public service commission.

21 (c) *Employee transfers.* On the effective date of this paragraph, all positions,
22 and the incumbent employees holding those positions, in the department of
23 administration primarily related to the fees, as determined by the secretary of
24 administration, are transferred to the public service commission.

(Next Binder →)

(← previous binder)

1 and (b) (by SECTION 59) and (4m) (intro.) (by SECTION 62), 938.357 (4) (am) (by SECTION
2 70), 938.48 (3) (by SECTION 78), (4) (by SECTION 80), (4m) (b) (by SECTION 82), (5) (by
3 SECTION 84), (6) (by SECTION 86), and (14) (by SECTION 88), 938.505 (1) (by SECTION 96),
4 938.52 (2) (a) and (c) (by SECTION 98), 938.53 (by SECTION 100), and 938.54 (by SECTION
5 107) of the statutes ~~take~~ and SECTIONS 110 (7m) (b) and 111 (3) of this act take effect
6 on the date specified in the notice under SECTION 110 (2) (b) ~~or January 1, 2021,~~
7 ~~whichever is earlier.~~

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9 repealed.

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6 s. 16.969 (2) (a) and (b), 2017 stats.

7 (b) *Assets and liabilities.* On the effective date of this paragraph, the assets and
8 liabilities of the department of administration primarily relating to the fees, as
9 determined by the secretary of administration, become the assets and liabilities of
10 the public service commission.

11 (c) *Employee transfers.* On the effective date of this paragraph, all positions,
12 and the incumbent employees holding those positions, in the department of
13 administration primarily related to the fees, as determined by the secretary of
14 administration, are transferred to the public service commission.

1 (d) *Employee status.* Employees transferred under par. (c) have all the rights
2 and the same status under ch. 230 in the public service commission that they enjoyed
3 in the department of administration immediately before the transfer.
4 Notwithstanding s. 230.28 (4), no employee so transferred who has attained
5 permanent status in class is required to serve a probationary period.

6 (e) *Tangible personal property.* On the effective date of this paragraph, all
7 tangible personal property, including records, of the department of administration
8 primarily relating to the fees, as determined by the secretary of administration,
9 becomes the personal property of the public service commission.

10 (f) *Contracts.* All contracts entered into by the department of administration
11 primarily relating to the fees, as determined by the secretary of administration, in
12 effect on the effective date of this paragraph remain in effect and are transferred to
13 the public service commission. The public service commission shall carry out any
14 obligations under those contracts unless modified or rescinded to the extent allowed
15 under the contract.

16 (g) *Rules and orders.* All rules promulgated by the department of
17 administration in effect on the effective date of this paragraph that are primarily
18 related to the fees remain in effect until their specified expiration dates or until
19 amended or repealed by the public service commission. All orders issued by the
20 department of administration in effect on the effective date of this paragraph that
21 are primarily related to the fees remain in effect until their specified expiration dates
22 or until modified or rescinded by the public service commission.

23 (h) *Pending matters.* Any matter pending with the department of
24 administration on the effective date of this paragraph that is primarily related to the
25 fees, as determined by the secretary of administration, is transferred to the public

1 service commission. All materials submitted to or actions taken by the department
2 of administration with respect to the pending matter are considered as having been
3 submitted to or taken by the public service commission.

4 (2) VOLKSWAGEN SETTLEMENT FUNDS. Of the settlement funds in the
5 appropriation under s. 20.855 (4) (h) for the grants under s. 16.047 (4m), during the
6 2019-21 fiscal biennium, the department of administration shall allocate
7 approximately 60 percent of the grants for the replacement of public transit vehicles
8 and shall allocate approximately 40 percent of the grants for the installation of
9 charging stations for vehicles with an electric motor, except that the secretary of
10 administration may adjust the allocation if necessary.

11 **SECTION 9102. Nonstatutory provisions; Agriculture, Trade and**
12 **Consumer Protection.**

13 **SECTION 9103. Nonstatutory provisions; Arts Board.**

14 **SECTION 9104. Nonstatutory provisions; Building Commission.**

15 (1) TRANSFER TO THE STATE BUILDING TRUST FUND. There is transferred from the
16 general fund to the state building trust fund \$10,000,000 in the 2019-21 fiscal
17 biennium.

18 **SECTION 9105. Nonstatutory provisions; Child Abuse and Neglect**
19 **Prevention Board.**

20 **SECTION 9106. Nonstatutory provisions; Children and Families.**

21 (1) EMERGENCY RULE MAKING FOR BACKGROUND CHECKS FOR CONGREGATE CARE
22 WORKERS. The department of children and families may promulgate emergency rules
23 under s. 227.24 to implement the background check requirements for congregate
24 care workers under s. 48.685. Notwithstanding s. 227.24 (1) (c) and (2), emergency
25 rules promulgated under this subsection remain in effect until January 1, 2022, or

1 the date on which permanent rules take effect, whichever is sooner.
2 Notwithstanding s. 227.24 (1) (a) and (3), the department is not required to provide
3 evidence that promulgating a rule under this subsection as an emergency rule is
4 necessary for the preservation of the public peace, health, safety, or welfare and is
5 not required to provide a finding of emergency for a rule promulgated under this
6 subsection.

7 (2) BACKGROUND CHECKS FOR CONGREGATE CARE WORKERS. No later than the first
8 day of the 7th month beginning after the effective date of this subsection, the
9 department of children and families, the county department as defined in s. 48.02
10 (2g), the child welfare agency, or the congregate care facility as defined in s. 48.685
11 (1) (ao) shall perform a comprehensive background check as required by s. 48.685 (2)
12 for all congregate care workers, as defined in s. 48.685 (1) (ap), who are working at
13 a congregate care facility on the effective date of this subsection.

14 (3) WISCONSIN WORKS; INTERNET SERVICE PROVIDER SUBSCRIPTIONS. Using the
15 procedure under s. 227.24, the department of children and families may promulgate
16 the rules authorized under s. 49.148 (2) as emergency rules. Notwithstanding s.
17 227.24 (1) (a) and (3), the department of children and families is not required to
18 provide evidence that promulgating a rule under this subsection as an emergency
19 rule is necessary for the preservation of the public peace, health, safety, or welfare
20 and is not required to provide a finding of emergency for a rule promulgated under
21 this subsection.

22 (4) SEVENTEEN-YEAR-OLD JUVENILE JUSTICE AIDS, COUNTY FACILITIES, AND THE
23 COMMUNITY YOUTH AND FAMILY AIDS FORMULA. The department of children and families
24 shall consult with county representatives to determine eligible expenses to be

1 reimbursed under ss. 48.5275 and 48.5276 and on modifications to the community
2 youth and family aids formula under s. 48.526.

3 **SECTION 9107. Nonstatutory provisions; Circuit Courts.**

4 **SECTION 9108. Nonstatutory provisions; Corrections.**

5 (1) JUVENILE CORRECTIONS GRANT COMMITTEE; RECOMMENDATIONS.

6 Notwithstanding 2017 Wisconsin Act 185, section 110 (4) (e) and (f), the juvenile
7 corrections grant committee may submit an individual grant recommendation to the
8 joint committee on finance for approval before the juvenile corrections grant
9 committee submits the statewide plan to the joint committee on finance. If the
10 cochairpersons of the joint committee on finance do not notify the juvenile corrections
11 grant committee within 14 working days after the date that the grant
12 recommendation was submitted that the joint committee on finance has scheduled
13 a meeting for the purpose of reviewing the grant recommendation, the grant may be
14 awarded as proposed by the juvenile corrections grant committee. If, within 14
15 working days after the date the grant recommendation was submitted, the
16 cochairpersons of the joint committee on finance notify the juvenile corrections grant
17 committee that the joint committee on finance has scheduled a meeting for the
18 purpose of reviewing the grant recommendation, the grant may be awarded only
19 upon approval of the joint committee on finance.

20 **SECTION 9109. Nonstatutory provisions; Court of Appeals.**

21 **SECTION 9110. Nonstatutory provisions; District Attorneys.**

22 **SECTION 9111. Nonstatutory provisions; Educational Communications**
23 **Board.**

24 **SECTION 9112. Nonstatutory provisions; Elections Commission.**

1 (1) REPORT ON VOTER REGISTRATION INFORMATION INTEGRATION. No later than July
2 1, 2020, the elections commission shall report to the appropriate standing
3 committees of the legislature, in the manner specified in s. 13.172 (3), concerning its
4 progress in initially implementing a system to ensure the complete and continuous
5 registration of all eligible electors in this state, specifically including the operability
6 and utility of information integration with the department of transportation and the
7 feasibility and desirability of integrating public information maintained by other
8 state agencies and by technical colleges with the commission's registration
9 information to enhance the completeness and accuracy of the information. At a
10 minimum, the report shall contain an assessment of the feasibility and desirability
11 of the integration of registration information with information maintained by the
12 departments of health services, children and families, workforce development,
13 revenue, safety and professional services, and natural resources; the University of
14 Wisconsin System; and the technical college system board, as well as the technical
15 colleges within each technical college district.

16 (2) VOTER IDENTIFICATION. No later than August 1, 2019, each technical college
17 in this state that is is a member of and governed by the technical college system under
18 ch. 38 and each University of Wisconsin System institution shall issue student
19 identification cards that qualify as identification under s. 5.02 (6m) (f).

20 **SECTION 9113. Nonstatutory provisions; Employee Trust Funds.**

21 (1) TRANSFER OF OVERSIGHT OF GROUP DISABILITY BENEFIT INSURANCE PLANS.

22 (a) *Tangible personal property.* On the effective date of this paragraph, all
23 tangible personal property, including records, of the group insurance board that is
24 primarily related to the group income continuation insurance plan or long-term

1 disability insurance plan, as determined by the secretary of employee trust funds,
2 is transferred to the employee trust funds board.

3 (b) *Contracts.* All contracts entered into by the group insurance board in effect
4 on the effective date of this paragraph that are primarily related to the group income
5 continuation insurance plan or long-term disability insurance plan, as determined
6 by the secretary of employee trust funds, remain in effect and are transferred to the
7 employee trust funds board. The employee trust funds board shall carry out any
8 obligations under those contracts unless modified or rescinded by the employee trust
9 funds board to the extent allowed under the contract.

10 (c) *Rules.* All rules promulgated by the group insurance board in effect on the
11 effective date of this paragraph that are primarily related to the group income
12 continuation insurance plan or long-term disability insurance plan remain in effect
13 until their specified expiration dates or until amended or repealed by the employee
14 trust funds board.

15 (d) *Pending matters.* Any matter pending with the group insurance board on
16 the effective date of this paragraph that is primarily related to the group income
17 continuation insurance plan or long-term disability insurance plan, as determined
18 by the secretary of employee trust funds, is transferred to the employee trust funds
19 board. All materials submitted to or actions taken by the group insurance board with
20 respect to the pending matter are considered as having been submitted to or taken
21 by the employee trust funds board.

22 (2) STUDY OF FIXED-DOLLAR PREMIUM SUBSIDY MODEL. The group insurance board,
23 in consultation with the actuary selected under s. 40.03 (1) (d) to perform actuarial
24 services for the group health insurance plan, shall conduct a study of the feasibility
25 and potential cost savings associated with including a fixed-dollar employee

1 premium subsidy program in the group health insurance plan for active state
2 employees. No later than June 30, 2020, the group insurance board shall submit a
3 report of the study to the governor and the joint committee on finance.

4 (3) PRESCRIPTION DRUG POOLING STUDY. The department of employee trust funds,
5 in consultation with the department of corrections, the department of health
6 services, and the ~~department~~ department of veterans affairs, shall study the options and
7 opportunities for cost savings to state agencies through prescription drug pooling.
8 No later than January 1, 2020, the department of employee trust funds shall submit
9 a report of the study to the governor and the appropriate standing committees of the
10 legislature, as determined by the speaker of the assembly and the president of the
11 senate, in the manner provided under s. 13.172 (3).

12 (4) PRIVATE SECTOR RETIREMENT SECURITY PLAN COMMITTEE.

13 (a) The secretary of employee trust funds shall establish a private sector
14 retirement security plan committee. The committee shall consist of the following
15 members:

- 16 1. The state treasurer.
- 17 2. One member of the employee trust funds board appointed by the governor.
- 18 3. One member of the investment board appointed by the governor.
- 19 4. Three members of the public appointed by the governor.
- 20 5. One member appointed by the speaker of the assembly.
- 21 6. One member appointed by the minority leader of the assembly.
- 22 7. One member appointed by the majority leader of the senate.
- 23 8. One member appointed by the minority leader of the senate.

24 (b) Not less than 3 of the members appointed under par. (a) shall have at least
25 10 years of experience in making investments.

1 (c) The committee created under par. (a) shall conduct a study to determine the
2 feasibility of establishing a private retirement security plan administered by the
3 department of employee trust funds to provide retirement benefits for residents of
4 this state who choose to participate in the plan.

5 (d) No later than September 30, 2020, the committee shall submit to the
6 governor and the joint survey committee on retirement systems a report that
7 includes recommendations regarding the creation of a private sector retirement
8 security plan that is administered by the department of employee trust funds.

9 (e) The private sector retirement security plan committee terminates upon
10 submission of the report under par. (d).

11 **SECTION 9114. Nonstatutory provisions; Employment Relations**
12 **Commission.**

13 **SECTION 9115. Nonstatutory provisions; Ethics Commission.**

14 **SECTION 9116. Nonstatutory provisions; Financial Institutions.**

15 **SECTION 9117. Nonstatutory provisions; Governor.**

16 **SECTION 9118. Nonstatutory provisions; Health and Educational**
17 **Facilities Authority.**

18 **SECTION 9119. Nonstatutory provisions; Health Services.**

19 (1) DENTAL THERAPY TRAINING PROGRAM. The department of health services shall
20 award, on a competitive basis, a total of \$500,000 in fiscal year 2019-20 and
21 \$1,000,000 in fiscal year 2020-21 as onetime grants to educational institutions for
22 costs associated with beginning a dental therapy training program. The department
23 shall establish criteria for approving and distributing grants under this subsection.

24 (2) MEDICAL ASSISTANCE REIMBURSEMENT FOR SERVICES PROVIDED THROUGH
25 TELEHEALTH. The department of health services shall develop, by rule, a method of

1 reimbursing providers under the Medical Assistance program for a service that is
2 covered by the Medical Assistance program under subch. IV of ch. 49 and that
3 satisfies any of the following:

4 (a) The service is a consultation between a provider at an originating site and
5 a provider at a remote location using a combination of interactive video, audio, and
6 externally acquired images through a networking environment.

7 (b) The service is an asynchronous transmission of digital clinical information
8 through a secure electronic system from a Medical Assistance recipient or provider
9 to a provider.

10 (3) ACADEMIC DETAILING TRAINING PROGRAM.

11 (a) In this subsection, “academic detailing” means a teaching model under
12 which health care experts are taught techniques for engaging in interactional
13 educational outreach to other health care providers and clinical staff to provide
14 information on evidence-based practices and successful therapeutic interventions
15 with the goal of improving patient care.

16 (b) The department of health services shall establish and implement a 2-year
17 academic detailing primary care clinic dementia training program in 10 primary
18 care clinics in the state through a contract with the Wisconsin Alzheimer’s Institute.

19 (c) The department shall, as part of the training program, provide primary care
20 providers with clinical training and access to educational resources on best practices
21 for diagnosis and management of common cognitive disorders, and referral
22 strategies to dementia specialists for complicated or rare cognitive or behavioral
23 disorders.

24 (d) The department shall ensure that the training program under this
25 subsection includes at least the following three components:

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1 1. The most current research on effective clinical treatments and practices is
2 systematically evaluated by the academic detailing team.

3 2. Information gathered and evaluated under subd. 1. is packaged into an
4 easily accessible format that is clinically relevant, rigorously sourced, and
5 compellingly formatted.

6 3. Training is provided for clinicians to serve as academic detailers that equips
7 them with clinical expertise and proficiency in conducting an interactive educational
8 exchange to facilitate individualized learning among participating primary care
9 practitioners in the target clinics.

10 (4) CHILDLESS ADULTS DEMONSTRATION PROJECT. The department of health
11 services shall submit any necessary request to the federal department of health and
12 human services for a state plan amendment or waiver of federal Medicaid law or to
13 modify or withdraw from any waiver of federal Medicaid law relating to the childless
14 adults demonstration project under s. 49.45 (23), 2017 stats., to reflect the
15 incorporation of recipients of Medical Assistance under the demonstration project
16 into the BadgerCare Plus program under s. 49.471 and the termination of the
17 demonstration project.

****NOTE: This is reconciled SECTION 9119 (4). This SECTION has been affected by
drafts with the following LRB numbers: -0943/P3, -1566/P1, and -1569/P1.

18 (5) CHILDLESS ADULTS DEMONSTRATION PROJECT REFORM WAIVER. The department
19 of health services may submit a request to the federal department of health and
20 human services to modify or withdraw the waiver granted under s. 49.45 (23) (g),
21 2017 stats.

****NOTE: This is reconciled SECTION 9119 (1). This SECTION has been affected by
drafts with the following LRB numbers: -1567/P1 and -1566/P1.

1 (6) EVIDENCE-BASED ORAL HEALTH GRANTS AND SEAL-A-SMILE PROGRAM.

2 Notwithstanding s. 250.10 (1m) (b), in fiscal year 2019-20, the department of health
3 services shall, from the appropriation under s. 20.435 (1) (de), award to qualified
4 applicants grants totaling \$50,000 for fluoride varnish and other evidence-based
5 oral health activities, \$525,000 for school-based preventive dental services, and
6 \$100,000 for school-based restorative dental services.

7 (7) PRESCRIPTION DRUG IMPORTATION PROGRAM. The department of health services

8 shall submit the first report required under s. 250.048 (5) by the next January 1 or
9 July 1, whichever is earliest, that is at least 180 days after the date the prescription
10 drug importation program is fully operational under s. 250.048 (4). The department
11 of health services shall include in the first 3 reports submitted under s. 250.048 (5)
12 information on the implementation of the audit functions under s. 250.048 (1) (n).

13 (8) COMMUNITY-BASED DOULAS. From the appropriation under s. 20.435 (4) (bm),

14 the department of health services shall in fiscal year 2019-20 allocate \$192,000 to
15 public or private entities, American Indian tribes or tribal organizations, or
16 community-based organizations for grants for community-based doulas. The
17 recipients of the grants shall use the moneys to identify and train local community
18 workers to mentor pregnant women.

19 (9) DENTAL SERVICES UNDER MEDICAL ASSISTANCE. During the 2019-21 fiscal

20 biennium, the department of health services shall allocate a total of \$2,000,000 in the
21 2019-20 fiscal year and \$3,000,000 in the 2020-21 fiscal year from all funding
22 sources to increase reimbursement rates for dental services that are covered under
23 the Medical Assistance program under subch. IV of ch. 49 and that are provided to
24 recipients of Medical Assistance who have disabilities.

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1 (10) INFANT MORTALITY PREVENTION PROGRAM. The department of health services
2 shall allocate 5.0 FTE positions that are authorized for the department of health
3 services to staff an infant mortality prevention program. The department of health
4 services shall report in its 2021-23 budget request any necessary budget
5 adjustments to reflect this allocation of positions.

6 (11) MEDICAL ASSISTANCE REIMBURSEMENT RATE INCREASE FOR DIRECT CARE. The
7 department of health services shall increase the Medical Assistance rates paid for
8 direct care to nursing facilities and intermediate care facilities for persons with an
9 intellectual disability with a 1 percent annual rate increase related to an increase
10 in acuity of patients in those facilities and an additional 1.5 percent annual rate
11 increase to support staff in those facilities who perform direct care.

12 (12) MEDICAL ASSISTANCE REIMBURSEMENT RATE INCREASE FOR DIRECT CARE IN
13 PERSONAL CARE AGENCIES. The department of health services shall increase the
14 Medical Assistance rates paid for direct care to agencies that provide personal care
15 services 1.5 percent annually to support staff in those agencies who perform direct
16 care.

17 **SECTION 9120. Nonstatutory provisions; Higher Educational Aids**
18 **Board.**

19 **SECTION 9121. Nonstatutory provisions; Historical Society.**

20 **SECTION 9122. Nonstatutory provisions; Housing and Economic**
21 **Development Authority.**

22 **SECTION 9123. Nonstatutory provisions; Office of Commissioner of**
23 **Insurance.**

24 (1) PRESCRIPTION DRUG COST SURVEY. The commissioner of insurance shall
25 conduct a statistically-valid survey of pharmacies in this state regarding whether

1 the pharmacy agreed to not disclose that customer drug benefit cost sharing exceeds
2 the cost of the dispensed drug.

3 **SECTION 9124. Nonstatutory provisions; Investment Board.**

4 **SECTION 9125. Nonstatutory provisions; Joint Committee on Finance.**

5 **SECTION 9126. Nonstatutory provisions; Judicial Commission.**

6 **SECTION 9127. Nonstatutory provisions; Justice.**

7 (1) TRANSFER OF OFFICE OF SCHOOL SAFETY.

8 (a) *Tangible personal property.* On the effective date of this paragraph, all
9 tangible personal property of the department of justice that is primarily related to
10 the duties of the office of school safety, as determined by the state superintendent of
11 public instruction, is transferred to the department of public instruction.

12 (b) *Contracts.* All contracts entered into by the department of justice in effect
13 on the effective date of this paragraph that are primarily related to the duties of the
14 office of school safety, as determined by the state superintendent of public
15 instruction, remain in effect and are transferred to the department of public
16 instruction. The department of public instruction shall carry out any obligations
17 under those contracts unless modified or rescinded by the department of public
18 instruction to the extent allowed under the contract.

19 (c) *Rules and orders.* All rules promulgated by the department of justice in
20 effect on the effective date of this paragraph that are primarily related to the duties
21 of the office of school safety, as determined by the state superintendent of public
22 instruction, remain in effect until their specified expiration dates or until amended
23 or repealed by the department of public instruction. All orders issued by the
24 department of justice in effect on the effective date of this paragraph that are
25 primarily related to the duties of the office of school safety, as determined by the state

1 superintendent of public instruction, remain in effect until their specified expiration
2 dates or until modified or rescinded by the department of public instruction.

3 (2) DIVERSION PILOT PROGRAM. From the appropriation under s. 20.455 (2) (en),
4 the department of justice shall establish a diversion pilot program for nonviolent
5 offenders to be diverted to a treatment program and under the program shall allocate
6 \$250,000 in each fiscal year of the 2019-21 biennium to law enforcement agencies
7 in cities of the first class.

8 **SECTION 9128. Nonstatutory provisions; Legislature.**

9 **SECTION 9129. Nonstatutory provisions; Lieutenant Governor.**

10 **SECTION 9130. Nonstatutory provisions; Local Government.**

11 **SECTION 9131. Nonstatutory provisions; Military Affairs.**

12 (1) WASHINGTON ISLAND DISASTER ASSISTANCE. From the appropriation under s.
13 20.465 (3) (s), the department of military affairs shall pay to the Washington Island
14 Electric Cooperative utility up to \$1,000,000 in each fiscal year of the 2019-21 fiscal
15 biennium for costs incurred for disaster relief. The Washington Island Electric
16 Cooperative utility shall pay 30 percent of the reasonable and necessary costs
17 incurred for the disaster relief, and the department shall pay the remaining costs up
18 to \$1,000,000 in each fiscal year of the 2019-21 fiscal biennium.

19 (2) EMERGENCY COMMUNICATIONS.

20 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
21 liabilities of the department of military affairs primarily relating to Next Generation
22 911, the statewide public safety interoperable communication system, or the
23 interoperability council, as determined by the secretary of administration, become
24 the assets and liabilities of the department of transportation.

1 (b) *Tangible personal property.* On the effective date of this paragraph, all
2 tangible personal property, including records, of the department of military affairs
3 primarily relating to Next Generation 911, the statewide public safety interoperable
4 communication system, or the interoperability council, as determined by the
5 secretary of administration, becomes the personal property of the department of
6 transportation.

7 (c) *Pending matters.* Any matter pending with the department of military
8 affairs primarily relating to Next Generation 911, the statewide public safety
9 interoperable communication system, or the interoperability council, as determined
10 by the secretary of administration, on the effective date of this paragraph is
11 transferred to the department of transportation. All materials submitted to or
12 actions taken by the department of military affairs are considered as having been
13 submitted to or taken by the department of transportation.

14 (d) *Contracts.* All contracts entered into by the department of military affairs
15 primarily relating to Next Generation 911, the statewide public safety interoperable
16 communication system, or the interoperability council, as determined by the
17 secretary of administration, in effect on the effective date of this paragraph remain
18 in effect and are transferred to the department of transportation. The department
19 of transportation shall carry out any obligations under those contracts unless
20 modified or rescinded to the extent allowed under the contract.

21 **SECTION 9132. Nonstatutory provisions; Natural Resources**

22 (1) TRANSFER OF ABANDONED UNDERGROUND PETROLEUM STORAGE TANK REMOVAL
23 PROGRAM.

24 (a) *Positions and employees.* On the effective date of this paragraph, 1.0 FTE
25 position, and all incumbent employees holding that position, in the department of

1 natural resources primarily related to the underground petroleum storage tank
2 removal program, as determined by the secretary of administration, are transferred
3 to the department of agriculture, trade and consumer protection.

4 (b) *Employee status.* Employees transferred under paragraph (a) have all the
5 rights and the same status under ch. 230 in the department of agriculture, trade and
6 consumer protection that they enjoyed in the department of natural resources
7 immediately before the transfer. Notwithstanding s. 230.28 (4), no employee so
8 transferred who has attained permanent status in class is required to serve a
9 probationary period.

10 (c) *Contracts.* All contracts entered into by the department of natural resources
11 primarily related to the abandoned underground petroleum storage tank removal
12 program, as determined by the secretary of administration, that are in effect on the
13 effective date of this paragraph remain in effect and are transferred to the
14 department of agriculture, trade and consumer protection. The department of
15 agriculture, trade and consumer protection shall carry out any obligations under
16 those contracts unless modified or rescinded by that department to the extent
17 allowed under the contract.

18 (d) *Tangible personal property.* On the effective date of this paragraph, all
19 tangible personal property, including records, of the department of natural resources
20 primarily related to the abandoned underground petroleum storage tank removal
21 program, as determined by the secretary of administration, is transferred to the
22 department of agriculture, trade and consumer protection.

23 (e) *Pending matters.* Any matter pending with the department of natural
24 resources primarily relating to the abandoned underground petroleum storage tank
25 removal program, as determined by the secretary of administration, on the effective

1 date of this paragraph is transferred to the department of agriculture, trade and
2 consumer protection. All materials submitted to or actions taken by the department
3 of natural resources with respect to the pending matter are considered as having
4 been submitted to or taken by the department of agriculture, trade and consumer
5 protection.

6 (f) *Assets and liabilities.* The assets and liabilities of the department of natural
7 resources primarily relating to the abandoned underground petroleum storage tank
8 removal program, as determined by the secretary of administration, become the
9 assets and liabilities of the department of agriculture, trade and consumer protection
10 on the effective date of this paragraph.

11 (2) BUREAU OF NATURAL RESOURCES SCIENCE. The department of natural
12 resources shall convert the existing office of applied science into the bureau of
13 natural resources science created under s. 15.345 (9).

14 **SECTION 9133. Nonstatutory provisions; Public Defender Board.**

15 **SECTION 9134. Nonstatutory provisions; Public Instruction.**

16 (1) SECONDARY GUARANTEE.

17 (a) Notwithstanding s. 121.07 (7) (b), for the purpose of setting the secondary
18 guaranteed valuation per member in the 2019-2020 school year, the department of
19 public instruction shall treat the appropriation under s. 20.255 (2) (ac) as if
20 \$75,000,000 were appropriated in the 2018-19 fiscal year.

21 (b) Notwithstanding s. 121.07 (7) (b), for the purpose of setting the secondary
22 guaranteed valuation per member in the 2020-21 school year, the department of
23 public instruction shall treat the appropriation under s. 20.255 (2) (ac) as if an
24 additional \$1,090,000,000 were appropriated in the 2020-21 fiscal year.

1 (2) **AFTER-SCHOOL PROGRAM GRANTS; EMERGENCY RULES.** The department of public
2 instruction may promulgate emergency rules under s. 227.24 to implement and
3 administer s. 115.446. Notwithstanding s. 227.24 (1) (c) and (2), emergency rules
4 promulgated under this subsection remain in effect until July 1, 2020, or the date on
5 which permanent rules take effect, whichever is sooner. Notwithstanding s. 227.24
6 (1) (a) and (3), the department is not required to provide evidence that promulgating
7 a rule under this subsection as an emergency rule is necessary for the preservation
8 of the public peace, health, safety, or welfare and is not required to provide a finding
9 of emergency for a rule promulgated under this subsection.

10 (3) **SPECIAL NEEDS SCHOLARSHIP PAYMENTS BASED ON ACTUAL COSTS; 2019-20 SCHOOL**
11 **YEAR.** If before the effective date of this subsection, the department of public
12 instruction made a scholarship payment to a private school for a child with a
13 disability the amount of which is based on a financial statement submitted to the
14 department under s. 115.7915 (4c), 2017 stats., the department of public instruction
15 shall consider the amount paid to the private school as an installment payment of
16 the amount for the 2019-20 school year under s. 115.7915 (4m) (a) 4. The department
17 of public instruction shall adjust the remaining installment payments under s.
18 115.7915 (4m) (b) to ensure that the private school receives the total scholarship
19 amount for the 2019-20 school year under s. 115.7915 (4m) (a) 4. for the child with
20 a disability for whom the private school submitted a financial statement under s.
21 115.7915 (4c), 2017 stats., in the 2018-19 school year.

22 **SECTION 9135. Nonstatutory provisions; Public Lands, Board of**
23 **Commissioners of.**

24 **SECTION 9136. Nonstatutory provisions; Public Service Commission.**

25 (1) **BROADBAND REPORT.**

1 (a) In this subsection:

2 1. "Underserved" has the meaning given in s. 196.504 (1) (b).

3 2. "Unserved" has the meaning given in s. 196.504 (1) (c).

4 (b) No later than June 30, 2020, the public service commission and the
5 department of administration shall jointly submit a report to the legislature in the
6 manner provided under s. 13.172 (3) and to the governor that provides all of the
7 following:

8 1. Updates on emerging broadband technologies and how they can be used to
9 provide broadband service to state residents.

10 2. Recommendations on how to provide incentives to broadband providers to
11 serve underserved or unserved areas of the state.

12 3. Proposals on how existing state agency technology, resources, or a
13 combination of technology and resources can be leveraged to serve underserved or
14 unserved areas of the state.

15 (2) OFFICE OF ENERGY INNOVATION.

16 (a) *Definitions.* In this subsection:

17 1. "Commission" means the public service commission.

18 2. "Department" means the department of administration.

19 3. "Focus on energy programs" means the statewide energy efficiency and
20 renewable resource programs established under s. 196.374 (2) (a) 1.

21 4. "Office" means the office of energy innovation in the commission.

22 (b) *Assets and liabilities.* On the effective date of this paragraph, the assets and
23 liabilities of the commission primarily relating to the office, except for assets and
24 liabilities primarily relating to focus on energy programs, as determined by the
25 secretary of administration, become the assets and liabilities of the department.

1 (c) *Employee transfers.* On the effective date of this paragraph, 5.0 FTE FED
2 positions, and the incumbent employees holding those positions, in the commission
3 who perform duties primarily related to the office, except for duties primarily
4 relating to focus on energy programs, as determined by the secretary of
5 administration, are transferred to the department.

6 (d) *Employee status.* Employees transferred under par. (c) have all the rights
7 and the same status under ch. 230 in the department that they enjoyed in the
8 commission immediately before the transfer. Notwithstanding s. 230.28 (4), no
9 employee so transferred who has attained permanent status in class is required to
10 serve a probationary period.

11 (e) *Tangible personal property.* On the effective date of this paragraph, all
12 tangible personal property, including records, of the commission primarily relating
13 to the office, except for property primarily relating to focus on energy programs, as
14 determined by the secretary of administration, becomes the personal property of the
15 department.

16 (f) *Pending matters.* Any matter pending with the commission primarily
17 relating to the office, except for matters primarily relating to focus on energy
18 programs, as determined by the secretary of administration, on the effective date of
19 this paragraph is transferred to the department. All materials submitted to or
20 actions taken by the commission are considered as having been submitted to or taken
21 by the department.

22 (g) *Contracts.* All contracts entered into by the commission primarily relating
23 to the office, except for contracts primarily relating to focus on energy programs, as
24 determined by the secretary of administration, in effect on the effective date of this
25 paragraph remain in effect and are transferred to the department. The department

1 shall carry out any obligations under those contracts unless modified or rescinded
2 to the extent allowed under the contract.

3 (h) *Rules and orders.* All rules promulgated by the commission under s.
4 196.025 (7), 2017 stats., in effect on the effective date of this paragraph remain in
5 effect until their specified expiration dates or until amended or repealed by the
6 department. All orders issued by the commission under s. 196.025 (7), 2017 stats.,
7 in effect on the effective date of this paragraph remain in effect until their specified
8 expiration dates or until modified or rescinded by the department.

9 **SECTION 9137. Nonstatutory provisions; Revenue.**

10 (1) INVENTORY TAX IMPOSED ON VAPOR PRODUCTS. On the effective date of this
11 subsection, an inventory tax is imposed upon vapor products, as defined under s.
12 139.75 (14), that are held in inventory for sale or resale in the possession of
13 distributors or retailers. Any person who is in possession of any vapor products shall
14 pay the tax at the rate of 71 percent of the manufacturer's list price, as defined under
15 s. 139.75 (5b). Any person liable for this tax shall determine the number of vapor
16 products in the person's possession on the effective date of this subsection, and shall
17 file a return, and pay the tax due, no later than the 30th day after the effective date
18 of this subsection.

19 **SECTION 9138. Nonstatutory provisions; Safety and Professional**
20 **Services.**

21 (1) DENTAL THERAPIST LICENSURE.

22 (a) When the first individual becomes licensed as a dental therapist in this
23 state under s. 447.04 (1m), the dentistry examining board shall send a notice to the
24 legislative reference bureau for publication in the Wisconsin Administrative
25 Register.

1 (b) 1. The dentistry examining board shall promulgate emergency rules under
2 s. 227.24 that are necessary to implement the licensure of dental therapist under this
3 act. Notwithstanding s. 227.24 (1) (c) and (2), emergency rules promulgated under
4 this subdivision remain in effect for 2 years, or until the date on which permanent
5 rules take effect, whichever is sooner. Notwithstanding s. 227.24 (1) (a) and (3), the
6 board is not required to provide evidence that promulgating a rule under this
7 subdivision as an emergency rule is necessary for the preservation of the public
8 peace, health, safety, or welfare and is not required to provide a finding of emergency
9 for a rule promulgated under this subdivision.

10 2. The dentistry examining board shall present a statement of scope for
11 permanent and emergency rules required to implement the licensure of dental
12 therapist under this act to the department of administration under s. 227.135 (2) no
13 later than the 30th day after the effective date of this subdivision. Notwithstanding
14 s. 227.135 (2), if the governor does not disapprove the statement of scope by the 30th
15 day after the statement is presented to the department of administration, the
16 statement is considered to be approved by the governor.

17 3. The dentistry examining board shall submit a proposed emergency rule
18 required to implement the licensure of dental therapist under this act to the governor
19 for approval under s. 227.24 (1) (e) 1g. no later than the 150th day after the effective
20 date of this subdivision. Notwithstanding s. 227.24 (1) (e) 1g., if the governor does
21 not reject the proposed emergency rule by the 14th day after the rule is submitted
22 to the governor in final draft form, the rule is considered to be approved by the
23 governor.

24 4. The dentistry examining board shall submit a proposed permanent rule
25 required to implement the licensure of dental therapist under this act to the governor

1 for approval under s. 227.185 no later than the 365th day after the effective date of
2 this subdivision. Notwithstanding s. 227.185, if the governor does not reject that
3 proposed permanent rule by the 30th day after the rule is submitted to the governor
4 in final draft form, the rule is considered to be approved by the governor.

5 **SECTION 9139. Nonstatutory provisions; Secretary of State.**

6 **SECTION 9140. Nonstatutory provisions; State Fair Park Board.**

7 **SECTION 9141. Nonstatutory provisions; Supreme Court.**

8 **SECTION 9142. Nonstatutory provisions; Technical College System.**

9 **SECTION 9143. Nonstatutory provisions; Tourism.**

10 **SECTION 9144. Nonstatutory provisions; Transportation.**

11 (1) INITIAL SHARING OF REGISTRATION INFORMATION. Notwithstanding ss. 85.61
12 (1), 110.09 (2), 342.06 (1) (eg), and 343.14 (2j), the department of transportation shall
13 enter into and begin transferring information under a revised agreement with the
14 elections commission administrator pursuant to s. 85.61 (1), no later than the first
15 day of the 4th month beginning after the effective date of this subsection.

16 (2) HARBOR ASSISTANCE GRANTS PRIORITY. In the 2019-21 fiscal biennium, when
17 making grant awards from the appropriations under ss. 20.395 (2) (cq) and 20.866
18 (2) (uv) for the harbor assistance program under s. 85.095, notwithstanding the
19 eligibility criteria under s. 85.095, the department of transportation shall give
20 priority to municipalities in which a shipbuilder in this state is conducting
21 operations.

22 (3) STATEWIDE PUBLIC SAFETY INTEROPERABLE COMMUNICATIONS SYSTEM. No later
23 than June 30, 2020, the department of transportation shall issue a request for
24 proposals for a statewide public safety interoperable communications system to be
25 deployed on existing tower sites. Notwithstanding s. 16.75 (1) and (2m), from the

1 appropriation under s. 20.395 (5) (dq), the department of transportation may expend
2 not more than \$500,000 to enter into a contract with an organization to provide
3 professional consulting services related to development of bidder qualifications and
4 technical requirements for the request for proposals issued under this subsection.

5 **SECTION 9145. Nonstatutory provisions; Treasurer.**

6 **SECTION 9146. Nonstatutory provisions; University of Wisconsin**
7 **Hospitals and Clinics Authority; Medical College of Wisconsin.**

8 **SECTION 9147. Nonstatutory provisions; University of Wisconsin**
9 **System.**

10 (1) RESIDENT UNDERGRADUATE TUITION. Notwithstanding s. 36.27 (1) (a), the
11 Board of Regents of the University of Wisconsin System may not charge resident
12 undergraduates enrolled in an institution or college campus in the 2019-20 or
13 2020-21 academic year more in academic fees than it charged resident
14 undergraduates enrolled in that institution or college campus in the 2018-19
15 academic year.

16 (2) SUPPLEMENTAL PAY PLANS.

17 (a) *Definition.* In this subsection, "board" means the Board of Regents of the
18 University of Wisconsin System.

19 (b) *University of Wisconsin System.* During the 2019-21 fiscal biennium, the
20 board may provide supplemental pay plans for all of its employees, other than
21 employees assigned to the University of Wisconsin-Madison. The supplemental pay
22 plans shall be in addition to any pay plan approved under s. 230.12 (3) (e) 1.

23 (c) *University of Wisconsin-Madison.* During the 2019-21 fiscal biennium, the
24 chancellor of the University of Wisconsin-Madison may provide supplemental pay
25 plans for all employees assigned to the University of Wisconsin-Madison. The

1 supplemental pay plans shall be in addition to any pay plan approved under s. 230.12
2 (3) (e) 1. The chancellor shall submit the plans allowed under this paragraph to the
3 board and may implement the plans only with the approval of the board.

4 (d) *Prohibitions.* The board may not request supplemental funding under s.
5 20.928 to pay the costs of the plans allowed under pars. (b) and (c), and the board,
6 under s. 16.42, may not request any funding of increases in salary and fringe benefit
7 costs provided in these plans.

8 (e) *Funding.* In each fiscal year of the 2019-21 fiscal biennium,
9 notwithstanding s. 36.112 (4), instead of allocating \$26,250,000 of the amount
10 appropriated under s. 20.285 (1) (a) as specified in s. 36.112 (4), the board may
11 allocate all or a portion of that amount to fund the supplemental pay plans allowed
12 under pars. (b) and (c). If the board allocates a portion of that amount for
13 supplemental pay plans, the board shall allocate the remainder to distribute to
14 institutions under the formula under s. 36.112 (3) (b).

15 (3) STUDENT SUCCESS AND ATTAINMENT. From the appropriation under s. 20.285
16 (1) (a), the Board of Regents of the University of Wisconsin System shall allocate
17 \$20,000,000 in fiscal year 2019-20 and \$25,000,000 in fiscal year 2020-21 to advance
18 student success and attainment.

19 **SECTION 9148. Nonstatutory provisions; Veterans Affairs.**

20 (1) ELIMINATION OF THE VETERANS MORTGAGE LOAN REPAYMENT FUND. On the
21 effective date of this subsection, the assets and liabilities of the veterans mortgage
22 loan repayment fund become the assets and liabilities of the veterans trust fund.

23 **SECTION 9149. Nonstatutory provisions; Wisconsin Economic**
24 **Development Corporation.**

25 **SECTION 9150. Nonstatutory provisions; Workforce Development.**

1 (1) TRANSFER OF WORKER'S COMPENSATION ADJUDICATORY FUNCTIONS.

2 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
3 liabilities of the division of hearings and appeals in the department of administration
4 that are primarily related to worker's compensation matters, as determined by the
5 secretary of administration, shall become the assets and liabilities of the department
6 of workforce development.

7 (b) *Positions and employees.* On the effective date of this paragraph, all
8 positions and all incumbent employees holding those positions in the division of
9 hearings and appeals in the department of administration performing duties that
10 are primarily related to worker's compensation matters, as determined by the
11 secretary of administration, are transferred to the department of workforce
12 development.

13 (c) *Employee status.* Employees transferred under par. (b) have all the rights
14 and the same status under ch. 230 in the department of workforce development that
15 they enjoyed in the division of hearings and appeals in the department of
16 administration immediately before the transfer. Notwithstanding s. 230.28 (4), no
17 employee so transferred who has attained permanent status in class is required to
18 serve a probationary period.

19 (d) *Tangible personal property.* On the effective date of this paragraph, all
20 tangible personal property, including records, of the the division of hearings and
21 appeals in the department of administration that is primarily related to worker's
22 compensation matters, as determined by the secretary of administration, is
23 transferred to the department of workforce development.

24 (e) *Pending matters.* Any worker's compensation matter pending with the
25 division of hearings and appeals in the department of administration on the effective

1 date of this paragraph, as determined by the secretary of administration, is
2 transferred to the department of workforce development. All materials submitted
3 to or actions taken by the division of hearings and appeals in the department of
4 administration with respect to the pending matter are considered as having been
5 submitted to or taken by the department of workforce development.

6 (f) *Contracts.* All contracts entered into by the division of hearings and appeals
7 in the department of administration in effect on the effective date of this paragraph
8 that are primarily related to worker's compensation matters, as determined by the
9 secretary of administration, remain in effect and are transferred to the department
10 of workforce development. The department of workforce development shall carry out
11 any obligations under those contracts unless modified or rescinded by the
12 department of workforce development to the extent allowed under the contract.

13 (g) *Rules and orders.* All rules promulgated by the division of hearings and
14 appeals in the department of administration in effect on the effective date of this
15 paragraph that are primarily related to worker's compensation matters, as
16 determined by the secretary of administration, remain in effect until their specified
17 expiration dates or until amended or repealed by the department of workforce
18 development. All orders issued by the division of hearings and appeals in the
19 department of administration in effect on the effective date of this paragraph that
20 are primarily related to worker's compensation matters, as determined by the
21 secretary of administration, remain in effect until their specified expiration dates or
22 until modified or rescinded by the department of workforce development.

23 (2) MINIMUM WAGE STUDY COMMITTEE.

24 (a) The secretary of workforce development shall establish a minimum wage
25 study committee under s. 15.04 (1) (c). The committee shall consist of the following:

- 1 1. Five members appointed by the governor.
- 2 2. One member appointed by the speaker of the assembly.
- 3 3. One member appointed by the minority leader of the assembly.
- 4 4. One member appointed by the majority leader of the senate.
- 5 5. One member appointed by the minority leader of the senate.

6 (b) The committee created under par. (a) shall study options to achieve a \$15
7 per hour minimum wage and other options to increase compensation for workers in
8 this state.

9 (c) No later than October 1, 2020, the committee created under par. (a) shall
10 submit to the governor and the appropriate standing committees of the legislature
11 in the manner provided under s. 13.172 (3) a report that includes recommendations
12 regarding the options for achieving a \$15 per hour minimum wage and other means
13 of increasing worker compensation in this state.

14 (d) The minimum wage study committee terminates upon submission of the
15 report under par. (c).

16 (3) UNEMPLOYMENT INSURANCE; WORK SEARCH AND REGISTRATION WAIVERS. The
17 department of workforce development shall submit a notice to the legislative
18 reference bureau for publication in the Wisconsin Administrative Register when the
19 department determines that the department has rules in place under s. 108.14 (27)
20 to define suitable work.

21 (4) UNEMPLOYMENT INSURANCE; WORK SEARCH AND REGISTRATION WAIVERS. The
22 department of workforce development shall submit a notice to the legislative
23 reference bureau for publication in the Wisconsin Administrative Register when the
24 department determines that the department has any rules in place under s. 108.04
25 (2) (b) that are necessary to provide waivers from the registration for work

1 requirement under s. 108.04 (2) (a) 2. and the work search requirement under s.
2 108.04 (2) (a) 3.

3 **SECTION 9151. Nonstatutory provisions; Other.**

4 (1) STUDENT LOAN REFINANCING STUDY COMMITTEE.

5 (a) There is created the student loan refinancing study committee to study the
6 creation and administration of a bonding authority for the refinancing of student
7 loans in this state in order to ease the burden of student loan debt for this state's
8 residents.

9 (b) The student loan refinancing study committee shall consist of the following
10 members:

- 11 1. The secretary of financial institutions.
- 12 2. The state treasurer.
- 13 3. The executive secretary of the higher educational aids board.

14 (c) No later than October 1, 2020, the student loan refinancing study committee
15 shall submit to the governor and to the chief clerk of each house of the legislature,
16 for distribution to the appropriate standing committees under s. 13.172 (3), a report
17 that includes all of the following:

18 1. Recommendations regarding the corporate and legal structure of the
19 refinancing entity, including governance.

20 2. A profile of the loan portfolio, projected start-up and operational costs,
21 estimated staffing needs, underwriting requirements, and other information
22 pertinent to the creation of a refinancing entity that can offer interest rate savings
23 to this state's student loan debtors.

1 3. An assessment of the feasibility of and options for offering protections to
2 borrowers refinancing student debt through the refinancing entity that are similar
3 to the protections under federal student loan programs.

4 (d) The department of financial institutions shall pay the administrative
5 expenses of the student loan refinancing study committee, not exceeding a total of
6 \$50,000, from the appropriation account under s. 20.144(1)(g).

7 (e) The student loan refinancing study committee terminates upon the
8 submission of the report under par. (c).

9 **SECTION 9201. Fiscal changes; Administration.**

10 (1) FEDERAL E-RATE TRANSFERS. There is transferred from the appropriation
11 account under s. 20.505 (4) (mp) to the universal service fund \$6,900,000 in fiscal
12 year 2019-20 and \$17,300,000 in fiscal year 2020-21.

13 **SECTION 9202. Fiscal changes; Agriculture, Trade and Consumer**
14 **Protection.**

15 **SECTION 9203. Fiscal changes; Arts Board.**

16 **SECTION 9204. Fiscal changes; Building Commission.**

17 **SECTION 9205. Fiscal changes; Child Abuse and Neglect Prevention**
18 **Board.**

19 **SECTION 9206. Fiscal changes; Children and Families.**

20 **SECTION 9207. Fiscal changes; Circuit Courts.**

21 **SECTION 9208. Fiscal changes; Corrections.**

22 **SECTION 9209. Fiscal changes; Court of Appeals.**

23 **SECTION 9210. Fiscal changes; District Attorneys.**

24 **SECTION 9211. Fiscal changes; Educational Communications Board.**

25 **SECTION 9212. Fiscal changes; Elections Commission.**