

1 **(3)** (a) Annually, on or before October 1, the department of revenue shall notify
 2 each municipality that is eligible to receive a payment under this section of the
 3 amount of the payment that the municipality shall receive in the following year.

4 (b) The department of revenue shall certify the amount of the payment due to
 5 each taxing jurisdiction under sub. (1) to the department of administration, and the
 6 department of administration shall make the payment on or before the 4th Monday
 7 in July.”.

8 **482.** Page 671, line 19: delete the material beginning with that line and
 9 ending with page 672, line 19.

10 **483.** Page 672, line 23: after that line insert:

11 “**SECTION 1078d.** 84.013 (3) (b) of the statutes is created to read:

12 84.013 **(3)** (b) I 41 extending approximately 23 miles between STH 96 in the
 13 town of Grand Chute and CTH “F” in the town of Lawrence, in Brown and Outagamie
 14 counties, including all interchanges, and including work on local roads as necessary
 15 for the completion of the project. As a component of this project, the department shall
 16 construct an interchange of I 41 and local highways near the intersection of
 17 Southbridge Road/French Road and Creamery Road in Brown County.”.

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18 **484.** Page 673, line 4: after that line insert:

19 “**SECTION 1079m.** 84.062 of the statutes is created to read:

20 **84.062 Alternative project delivery. (1) DEFINITIONS.** In this section:

21 (a) “Alternative technical concepts” means a proposed alternative to the
 22 technical requirements provided by the office in the request for proposals for a
 23 project.

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1 (b) "Best value design-build contract" means a design-build contract award
2 made following a calculation of value as provided in a request for proposals.

3 (c) "Design-build contract" means a contract for a project under which the
4 design, engineering, construction, and related services are provided by a single
5 design-builder.

6 (d) "Design-builder" means a private legal entity, consortium, or joint venture
7 that proposes to or executes a contract with the office to design, engineer, and
8 construct a project under this section.

9 (e) "Design-build project" means a project for which design, engineering,
10 construction, and related services are procured through a single contract with a
11 single private legal entity, consortium, or joint venture capable of providing the
12 necessary design, engineering, construction, and related services.

13 (f) "Design professional" means a person registered under s. 443.03 or 443.04
14 or a firm, partnership, or corporation registered under s. 443.08.

15 (g) "Director" means the director of the office of innovative program delivery
16 attached to the department under s. 15.463 (1).

17 (h) "Fixed price variable scope design-build contract" means a design-build
18 contract award made to the lowest qualified responsible bidder able to provide the
19 best qualitative scope of work at a price not to exceed a fixed price set by the office.

20 (i) "Low bid design-build contract" means a design-build contract award made
21 to the lowest qualified responsible bidder.

22 (j) "Member" means a private legal entity that is a member of a consortium or
23 joint venture that is a design-builder.

24 (k) "Office" means the office of innovative program delivery attached to the
25 department under s. 15.463 (1).

1 (L) “Project” means a project involving a highway improvement, as defined in
2 s. 84.06 (1) (am).

3 (m) “Qualified responsible bidder” means a design-builder responding to a
4 request for qualifications and that is certified by the technical review committee.

5 (n) “Responsive cost proposal” means a proposal that clearly identifies the costs
6 of all services to be performed by the qualified responsible bidder, including all
7 related fees, wages, and equipment and material costs.

8 (o) “Responsive technical proposal” means a proposal that clearly
9 demonstrates a qualified responsible bidder’s understanding of the design,
10 engineering, and construction services to be performed and clearly describes the
11 bidder’s approach to the project.

12 (p) “Technical review committee” means the committee appointed under sub.
13 (3).

14 (q) “Value engineering change” means a proposal that provides for a product
15 of equal or improved quality to the product required by the department and that will
16 reduce the project cost, improve safety, or decrease the time to complete the project.

17 **(2) DESIGN-BUILD PROJECTS.** (a) The department shall administer a pilot
18 program under which not more than 6 contracts are awarded for design-build
19 projects to be completed no later than December 31, 2025. The director may not
20 designate a project as a design-build project unless the department is able to clearly
21 define the scope of work.

22 (b) The department may not expend more than \$250,000,000 for 6 design-build
23 contracts designated as follows:

24 1. One low bid design-build contract for a project with an estimated value of
25 not less than \$5,000,000 and not more than \$25,000,000.

1 2. One best value design-build contract for a project with an estimated value
2 of not less than \$25,000,000 and not more than \$75,000,000.

3 3. One fixed price variable scope design-build contract with an estimated value
4 of not less than \$25,000,000 and not more than \$75,000,000.

5 4. Three contracts designated by the director with a total estimated value of not
6 more than \$125,000,000. The department may enter into a low bid design-build
7 contract, best value design-build contract or a fixed price variable scope
8 design-build contract under this subdivision.

9 (c) For each project designated as a design-build project under par. (a), the
10 office shall prepare a written analysis supporting the office's determination that it
11 is the best interests of the state to make the designation. The written determination
12 and supporting materials are subject to inspection under s. 19.35. The written
13 analysis shall include all of the following:

14 1. The extent to which the department can adequately define the project
15 requirements in a proposed scope of design and construction.

16 2. The impact on the projected project schedule and completion date.

17 3. The impact on the projected cost of the project.

18 4. The impact on the quality factors of the project.

19 5. The availability of contractors with experience with design-build projects or
20 other innovative project delivery methods.

21 6. The capability of the department to manage a design-build project with
22 office employees and design consultants.

23 7. The capability of the department to oversee a design-build project with a
24 contractor with experience with design-build projects or other innovative project
25 delivery methods.

1 8. The availability of current department employees qualified to perform
2 design and engineering services required for the design-build project.

3 9. The original character of the product or the services.

4 10. The statutory authority for the designation of the project as a design-build
5 project and how the project furthers the department's statutory duties.

6 11. Whether the design-build project must comply with any federal rule or
7 regulation or any U.S. department of transportation requirement and a statement
8 that the design-build project is in compliance.

9 12. Any other criteria the office determines is necessary.

10 (d) For each project designated under par. (a), the office shall solicit requests
11 for qualifications, requests for proposals, and cost proposals as provided in this
12 section and, subject to sub. (7) (c) and (d), let each project by contract to a qualified
13 responsible bidder.

14 (e) No more than 6 months following the completion of a design-build project
15 designated under this subsection, the office shall prepare a report, with input from
16 the design-builder and the technical review committee, detailing the project, the
17 decision to designate the project as a design-build project, the type of design-build
18 contract let, and recommendations for statutory changes, if any. The office shall
19 provide this report to the joint committee on finance and the senate and assembly
20 standing committees having jurisdiction over transportation matters. The senate
21 and assembly standing committees having jurisdiction over transportation matters
22 shall schedule a hearing on the report not more than 30 days following distribution
23 of the report by the chief clerks of the senate and the assembly. This paragraph does
24 not apply to projects completed after December 31, 2025.

1 **(3) TECHNICAL REVIEW COMMITTEE.** (a) The secretary shall appoint 5 individuals
2 to a technical review committee to evaluate proposals submitted under this section.
3 The committee shall consist of the following:

4 1. An employee of the department representing a regional office of the
5 department who has at least 5 years of experience in the transportation construction
6 industry.

7 2. Two employees of the department representing the division of the
8 department responsible for transportation project development, each of whom have
9 at least 5 years of experience in the transportation construction industry.

10 3. One person representing a state association of architectural, engineering, or
11 design companies.

12 4. One person representing a state association of transportation construction
13 companies.

14 (b) The secretary may not appoint to the technical review committee any person
15 associated, as defined in s. 19.42 (2), with a design-builder. No person appointed to
16 the technical review committee may review proposals under this section when the
17 proposed project could benefit the appointee or the appointee's immediate family, as
18 defined in s. 19.42 (7).

19 (c) A person appointed to the technical review committee is an agent of the
20 department under s. 895.46.

21 (d) Except as otherwise provided in this section, all records of the technical
22 review committee are open to public inspection and copying under s. 19.35 (1).

23 **(4) BIDS.** The office shall solicit design-build proposals in 2 phases. In the first
24 phase, the office shall solicit requests for qualifications under sub. (5) and requests
25 for proposals under sub. (6). The technical review committee shall certify responsible

1 bidders as provided in sub. (5) (c) and shall score technical proposals as provided in
2 sub. (6) (b). In the 2nd phase, the office shall solicit cost proposals and the technical
3 review committee shall evaluate cost proposals as provided in sub. (7).

4 **(5) REQUEST FOR QUALIFICATIONS.** (a) The office shall prepare a request for
5 qualifications that includes all of the following:

6 1. Minimum required qualifications for certification as a qualified bidder,
7 which shall include all of the following:

8 a. The design and construction experience of the design-builder or member,
9 personnel, and contractors who will manage the design, engineering, and
10 construction aspects of the project. The office may not require a level of experience
11 that will unreasonably restrict competition.

12 b. A requirement that the design-builder or member employ an individual who
13 has no fewer than 5 years of experience in highway construction specific to highway
14 improvement projects in this state.

15 c. A requirement that the design-builder or member be a design professional
16 or will employ or contract with a design professional.

17 d. A sworn statement of the design-builder's financial ability, equipment, and
18 experience in design-build project delivery and any other information the office
19 determines is necessary to determine a bidder's competency.

20 2. Minimum required qualifications for certification as a responsible bidder,
21 which shall include all of the following:

22 a. The design-builder is registered or authorized to do business in this state.

23 b. The design-builder submits a sworn statement that indicates that it has
24 adequate financial resources to complete the work described in the request for

1 qualifications, taking into account any other work the design-builder is currently
2 under contract to complete.

3 c. The design-builder is bondable for the term of the proposed contract and is
4 able to obtain a 100 percent performance bond and a separate 100 percent payment
5 bond.

6 d. If the department has previously contracted with the design-builder or a
7 member, the design-builder or member has a record of satisfactorily completing
8 projects. In making this determination, the technical review committee shall
9 consider if the design-builder or the member has completed all contracts in
10 accordance with drawings and specifications, diligently pursued execution of the
11 work and completed contracts according to the time schedule, fulfilled guarantee
12 requirements of contracts, and complied with applicable safety program
13 requirements. The technical review committee may not consider whether a
14 design-builder or member exercised legal rights specified in statute or rule or under
15 a contract with the department.

16 e. The design-builder or a member is not on a list maintained by the
17 department identifying persons ineligible to bid due to suspension or debarment or
18 on a list that the department of administration maintains for persons who violated
19 statutory provisions or administrative rules relating to construction.

20 f. The design-builder or a member has been in business for at least 12 months.

21 g. The design-builder or a member has served as a prime contractor on no fewer
22 than 5 projects administered by the department during the previous 5 calendar
23 years.

1 h. The design-builder can provide information to the technical review
2 committee upon request about ownership, management, and control of the
3 design-builder.

4 i. The design-builder or a member has not been debarred from any government
5 contracts and has not been found to have committed tax avoidance or evasion in any
6 jurisdiction in the previous 10 years.

7 j. The design-builder has not been disciplined under a professional license in
8 any jurisdiction in the previous 10 years.

9 k. No design professional employed by the design-builder or a member or that
10 the design-builder will contract with has been disciplined in any jurisdiction under
11 a license that is currently in use.

12 3. Information about bid procedures and the proposed project, including all of
13 the following:

14 a. The type of contract to be awarded.

15 b. The selection criteria for recommendation of design-builders for phase 2.

16 c. Project requirements, including a scope of work statement and a schedule.

17 d. The required completion date of the project.

18 e. A description of requirements for the technical proposal for the project.

19 (b) The office shall advertise the request for qualifications by publication of a
20 class 1 notice, as defined in s. 985.07 (1), in the official state newspaper and on the
21 department's Internet site. The office may place similar notices in publications likely
22 to inform potential bidders of the project. The office shall issue a request for
23 qualifications or provide information as to where the request for qualifications may
24 be obtained to any person, without regard to the qualifications of the person. The
25 office shall include in all advertisements under this paragraph the location and scope

1 of work, the amount of bid guarantee required, the date, time, and place of bid or
2 proposal opening, and the date when and place where plans will be available.

3 (c) The technical review committee shall certify at least 2 but not more than 4
4 design-builders as qualified responsible bidders. If the office does not receive at
5 least 2 responses to the request for qualifications or if the technical review committee
6 certifies only one design-builder as a qualified responsible bidder, the office may
7 re-advertise or cancel the project.

8 **(6) REQUEST FOR PROPOSALS.** (a) The office shall prepare a request for proposals
9 for each design-build contract that includes all the following:

10 1. The name, title, address, and telephone numbers of persons to whom
11 questions concerning the proposal should be directed.

12 2. The procedures to be followed for submitting proposals, including how
13 proposals must be delivered, the date and time by which they must be received, and
14 the name and address of the person who is to receive them.

15 3. The date and time of the pre-proposal conference, if any.

16 4. A requirement that a technical proposal and a cost proposal be submitted in
17 separate sealed proposals at the same time.

18 5. A clear description of the scope of all design, engineering, and construction
19 work.

20 6. The criteria for evaluating proposals and their relative weight, if applicable.

21 7. The design criteria package, including a description of drawings,
22 specifications, or other information to be submitted with the proposals, which shall
23 allow the design-builder to use innovative projects meeting the criteria.

24 8. The project schedule and budget limits, if any.

25 9. The proposed terms and conditions of the contract.

1 10. Requirements relating to performance bonds, payments bonds, and
2 insurance.

3 11. Amount of stipend, if any.

4 12. The procedures for awarding a contract.

5 13. A process for the technical review committee to review and accept
6 alternative technical concepts and value engineering change proposals.

7 14. A requirement that the design-builder perform not less than 30 percent of
8 the construction services under the contract with labor provided by employees of the
9 design-builder or member and equipment owned or rented by the design-builder or
10 member.

11 15. Any other information the office determines is necessary.

12 (b) The technical review committee shall evaluate each technical proposal,
13 which may include a confidential interview, and shall assign points in accordance
14 with the request for proposals and subject to all of the following:

15 1. For a project that will be awarded as either a low bid design-build contract
16 or a fixed price variable scope design-build contract, the technical review committee
17 shall determine whether technical proposals are responsive to the request for
18 proposals without ranking or scoring the proposals.

19 2. For a project that will be awarded as a best value design-build contract, the
20 technical review committee shall determine whether technical proposals are
21 responsive to the request for proposals and score each responsive technical proposal
22 as required by the request for proposals. The technical review committee may award
23 not more than 20 percent of the points awarded to a technical proposal based on the
24 design-builder's qualifications and ability to design, contract, and deliver the project
25 in accordance with any deadline established in the request for proposals. The

1 technical review committee may award a technical proposal not more than 55
2 percent of the maximum number of combined points that may be awarded to a
3 technical proposal and cost proposal.

4 (c) The office shall allow design-builders to include alternative technical
5 concepts and value engineering changes in their proposals by describing the process
6 for submission and evaluation of alternative technical concepts and value
7 engineering changes in the request for proposals.

8 (d) The technical review committee may not consider a proposal responsive
9 unless the proposal includes a conceptual design, critical path method, bar schedule
10 of the work to be performed or similar schematic, design plans and specifications,
11 technical reports, and all other information required by the request for proposals.
12 The technical review committee may not consider any price or fee included in the
13 technical proposal.

14 (e) The office shall notify the design-builder for each proposal that is
15 determined to be responsive under par. (b) that the design-builder may submit a cost
16 proposal under par. (7). The office shall reject all proposals that are determined to
17 be nonresponsive under par. (b).

18 **(7) COST PROPOSALS.** (a) Design-builders notified under sub. (6) (e) may submit
19 a cost proposal and the proposal shall include a fixed cost of design, engineering, and
20 construction services prepared by a design professional that contains all design,
21 engineering, construction, and quality assurance and quality control costs of the
22 project.

23 (b) The technical review committee may open cost proposals only after the
24 technical proposals have been reviewed as provided in sub. (6). At the time and place
25 specified in the request for proposals, the technical review committee shall open cost

1 proposals, read the proposals aloud, and, for a project that will be awarded as a best
2 value design-build contract, make public the committee's scoring of the technical
3 proposals.

4 (c) Following a review of cost proposals, the department may issue a notice of
5 intent to award a contract, subject to all of the following:

6 1. For a low bid design-build contract, the contract shall be awarded to the
7 qualified responsible bidder that submitted a responsive technical proposal and also
8 submitted the lowest responsive cost proposal.

9 2. For a fixed price variable scope design-build contract, the contract shall be
10 awarded to the qualified responsible bidder that submitted a responsive technical
11 proposal and that submitted a responsive cost proposal that provides the maximum
12 amount of services for the maximum fixed price set by the office or for an amount that
13 is less than the maximum fixed price.

14 3. For a best value design-build contract, the contract shall be awarded to the
15 qualified responsible bidder with the highest adjusted score, which shall be
16 calculated by adding the bidder's technical proposal score to the bidder's cost
17 proposal score. The technical review committee shall award the lowest qualified
18 responsible bidder the maximum number of points that may be awarded to a cost
19 proposal under the request for proposals, but not less than 45 percent and not more
20 than 75 percent of the maximum number of combined points that may be awarded
21 to a technical proposal and cost proposal. For each remaining qualified responsible
22 bidder, the technical review committee shall calculate the score for the cost proposal
23 by reducing the maximum number of points that may be awarded to the cost proposal
24 by at least 1 percent for each percentage point by which the cost proposal exceeds the
25 lowest cost proposal.

1 (d) Following a review of cost proposals, the office may reject all proposals. If
2 the office rejects all proposals or does not execute a contract after issuing an intent
3 to award a contract under par. (c), the office may reissue the request for proposals
4 and allow only the qualified responsible bidders originally notified under sub. (6) (e)
5 to submit new proposals. The office may pay a reasonable stipulated fee to each
6 design-builder that provides a responsive but unsuccessful proposal in response to
7 the reissued request for proposals. If the reissued request for proposals specifies a
8 maximum fixed price, the office may not award a stipend to a design-builder whose
9 proposal exceeds that price.

10 (e) Not less than 5 working days prior to executing a design-build contract, the
11 department shall provide notice to each unsuccessful qualified responsible bidder
12 that a notice of intent to award a contract has been issued.

13 (f) The department and the technical review committee shall maintain the
14 confidentiality of information provided by design-builders as required by s. 84.01
15 (32).

16 **(8) CONTRACT AWARD.** (a) In this subsection:

17 1. "Construction services" means work necessary to construct a project,
18 including trucking services and materials purchased regardless of whether the
19 materials are installed by the design-builder.

20 2. "Specialty services" means work related to sanitary sewer systems, water
21 main systems, staking, electrical, landscaping and erosion control, traffic control,
22 signing, pavement marking, fencing, and other work identified by the office.

23 (b) No later than 10 days following the issuance of a notice of intent to award
24 a design-build contract, the office shall verify that the design-builder will perform
25 not less than 30 percent of the construction services under the contract with labor

1 provided by employees of the design-builder or member and equipment owned or
2 rented by the design-builder or member.

3 (c) The design-builder shall submit to the office in the form prescribed by the
4 office documentation of the construction services the design-builder or members will
5 perform and the dollar value of the services.

6 (d) The office shall calculate the percentage of total construction services
7 identified in the contract to be performed by the design-builder or members by
8 subtracting the value of specialty services to be performed from the total contract
9 amount and dividing the dollar value of construction services to be performed by the
10 design-builder or members by the difference. If the value of construction services
11 to be performed by the design-builder or members is less than 30 percent of the value
12 of all construction services required under the contract, the office shall cancel the
13 contract award.

14 **(9) PROJECT DELIVERY.** An individual identified in a response to a request for
15 qualifications or in a technical proposal may be replaced by a design-builder if the
16 office determines that the new individual meets the qualifications described in the
17 response to the request for qualifications or in the technical proposal and that the
18 individual's qualifications are at least equal to the qualifications of the individual
19 being replaced.

20 **(10) LIABILITY.** (a) Nothing in this section shall be construed as relieving a
21 design-builder of 3rd-party liability or liability for loss or damage to property of the
22 state or a county or municipality.

23 (b) All design services, including architectural and engineering services,
24 provided under a design-build contract are services and not products.

1 **(11) STIPULATED FEE.** (a) The department shall award a stipulated fee of not
2 less than three-tenths of 1 percent of the department's estimated cost of design and
3 construction as follows:

4 1. To each qualified responsible bidder that provides a responsive but
5 unsuccessful proposal when the office issues a notice of intent to award a contract.
6 If the request for proposals specifies a maximum fixed price, the office may not award
7 a fee to a proposal that exceeds the maximum fixed price.

8 2. To all qualified responsible bidders that provide a responsive proposal, if the
9 office does not issue a notice of intent to award a contract.

10 3. To all qualified responsible bidders if the office cancels the solicitation before
11 the technical review committee reviews technical proposals.

12 (b) The department shall pay the fee to each qualified responsible bidder under
13 par. (a) no later than 90 days after the department issues a notice of intent to award
14 a contract, determines that it will not issue a notice of intent to award a contract, or
15 cancels the solicitation.

16 (c) In consideration for paying the fee, the department may use work product
17 contained in an unsuccessful proposal in connection with any proposed or awarded
18 design-build project without making any additional compensation to the
19 design-builder. If an unsuccessful design-builder waives the stipulated fee, the
20 department may not use work product in the design-builder's unsuccessful proposal.

21 **(12) RULES.** The department may promulgate rules necessary to implement
22 this section.

23 **(13) APPEALS.** (a) Any person aggrieved and directly affected by a decision of
24 the office to issue a request for qualifications or a request for proposals under this
25 section shall be entitled to judicial review of the decision as provided in chapter 227,

1 subject to the procedural requirements of s. 227.53 (1). A person shall be considered
2 a person aggrieved and directly affected by a decision of the office if any of the
3 following apply to a request for qualifications or a request for proposals issued by the
4 office under this section:

5 1. The request does not include qualifications, requirements, or other items
6 required under this section.

7 2. The request does not comply with procedural requirements under this
8 section.

9 3. The request contains material errors or omissions.

10 4. The request contains material discrepancies, deficiencies, or ambiguities
11 that prevent a person from submitting a responsive proposal.

12 5. The request indicates a bias against or preference for a specific
13 design-builder.

14 6. The request exceeds the department's authority.

15 (b) Any person aggrieved and directly affected by a decision of the office to issue
16 a notice of intent to award a contract under this section shall be entitled to judicial
17 review of the decision as provided in chapter 227, subject to the procedural
18 requirements of s. 227.53 (1). A person shall be considered a person aggrieved and
19 directly affected by a decision of the office if any of the following apply to a notice of
20 intent to award a contract under this section:

21 1. The design-builder that received the notice of intent to award a contract was
22 improperly certified as a qualified responsible bidder.

23 2. A mathematical error was made in scoring any of the proposals that resulted
24 in an improper intent to award a contract.

1 3. There is evidence of collusion or fraud involving either the design-builder
2 who received the notice of intent to award a contract or a member of the technical
3 review committee.

4 4. There is evidence of bias of a member of the technical review committee.

5 5. There is evidence that a member of the technical review committee has a
6 conflict of interest because the committee member, a member of his or her immediate
7 family, as defined in s. 19.42 (7), or any organization or business with which the
8 member is associated, as defined in s. 19.42 (2), may benefit from the intent to award
9 a contract.

10 6. The technical proposal or cost proposal submitted by the design-builder who
11 received the notice of intent to award a contract is not responsive to the request for
12 proposals, contains conditions or qualifications not provided for in the request for
13 proposals, or does not assign costs to all services identified in the technical proposal
14 or is otherwise materially unbalanced.

15 (c) If the office prevails upon judicial review, following any protest and
16 appellate court proceedings, the office shall be entitled to recover all costs and
17 charges included in the final order or judgment, excluding attorney's fees. Upon
18 payment of costs and charges by the protester, the bond shall be returned. If the
19 protesting party prevails, the protesting party shall be entitled to recover from the
20 office all costs and charges included in the final order or judgment, excluding
21 attorney's fees. The entire amount of the bond shall be forfeited if the hearing officer
22 determines that a protest was filed for a frivolous or improper purpose, including but
23 not limited to the purpose of harassing, causing unnecessary delay, or causing
24 needless cost for the office or parties.

1 **(14) DELIVERABLES.** (a) No later than 3 months after the effective date of this
2 section [LRB inserts date], the office shall prepare a report that establishes a
3 program structure for delivering projects as required under this subsection. The
4 report shall specify the types of highway improvement projects to be considered and
5 procedures and timelines for the bid process. The office may not designate a highway
6 improvement project as a design-build project prior to the completion of the report.

7 (b) No later than 6 months after the effective date of this section [LRB inserts
8 date], the office shall prepare a design-build procurement manual that incorporates
9 the requirements under this subsection and any applicable requirements under
10 federal law. The manual shall be created by a committee that includes all of the
11 following members:

12 1. The director.

13 2. Two employees of the department who represent the division of the
14 department responsible for transportation project development and who each have
15 not less than 5 years of experience in the transportation construction industry.

16 3. One person representing a state association of transportation architectural,
17 engineering, or design companies to be nominated by the governor and appointed
18 with the advice and consent of the senate.

19 4. One person representing a state association of transportation construction
20 companies to be nominated by the governor and appointed with the advice and
21 consent of the senate.

22 5. One person representing a national trade group with a design-build
23 certification program and experience in assisting states with the implementation of
24 a design-build program to be nominated by the governor and appointed with the
25 advice and consent of the senate.

1 (c) No later than December 31, 2026, the office shall submit a report the joint
2 committee on finance and the senate and assembly standing committees having
3 jurisdiction over transportation matters summarizing observations of the process
4 utilized for alternative project delivery methods and describing the effectiveness of
5 the alternative project delivery methods contracting procedures. The report shall
6 include discussion on scope of work, history of projects selected, evaluation criteria,
7 selection process, contract administration, work progression, time and cost
8 comparisons between the traditional contracting method and alternative delivery
9 methods, claims, and changes.

10 (d) No later than 6 months after receipt of the report required under par. (c),
11 the joint committee on finance shall determine whether the alternative project
12 delivery pilot program was successful in providing the department with additional
13 tools that allow innovation, reduced project completion time, cost certainty, or
14 reduced cost or other advantages or benefits and shall make a recommendation to
15 the legislature as to whether the pilot program should be made permanent.”.

16 **485.** Page 673, line 5: delete lines 5 to 10.

17 **486.** Page 673, line 11: delete lines 11 and 12.

18 **487.** Page 674, line 3: after that line insert:

19 “**SECTION 1082m.** 85.061 (3) (a) (intro.) of the statutes is amended to read:
20 85.061 (3) (a) (intro.) The department shall administer a rail passenger route
21 development program. From the ~~appropriation~~ appropriations under s. 20.395
22 (2) (br) and 20.866 (2) (up), the department may fund any of the following:

23 **SECTION 1082p.** 85.061 (3) (b) of the statutes is amended to read:

1 85.061 (3) (b) The department may not use any proceeds from the bond issue
2 authorized under s. 20.866 (2) (up) or the moneys appropriated under s. 20.395 (2)
3 (br) unless the joint committee on finance approves the use of the proceeds or moneys
4 and, with respect to a route under par. (a) 1. or 2., the department submits evidence
5 to the joint committee on finance that Amtrak or the applicable railroad has agreed
6 to provide rail passenger service on that route. The department may contract with
7 Amtrak, railroads or other persons to perform the activities under the program.”.

8 **488.** Page 674, line 3: after that line insert:

9 “**SECTION 1082m.** 85.0203 of the statutes is created to read:

10 **85.0203 Mileage-based fees.** (1) The department shall expend not more
11 than \$2,500,000 to enter into a contract with a firm for the study of, and preparation
12 of a report regarding, the policies, procedures, and operations needed to implement
13 mileage-based fees and for the preparation of a traffic and revenue analysis
14 associated with these fees. No later than December 1, 2022, the firm conducting the
15 study and preparing the analysis under this subsection shall report its findings to
16 the department and the legislature under s. 13.172 (2).

17 (2) No later than January 1, 2023, the department shall submit a
18 recommendation on an implementation plan for a mileage-based fee to the joint
19 committee on finance.

20 (3) The department may implement a mileage-based fee only if the joint
21 committee on finance approves the plan under sub. (2). If the committee modifies and
22 approves the proposed plan, the department may implement a mileage-based fee
23 only as modified by the committee.

1 (4) If the joint committee on finance approves a mileage-based fee plan, the
2 department shall create a division of innovative transportation finance systems that
3 shall administer any mileage-based fee plan imposed under this section. The
4 division shall report directly to the secretary of transportation.”.

5 **489.** Page 674, line 4: delete the material beginning with that line and ending
6 with page 675, line 9.

7 **490.** Page 675, line 9: after that line insert:

8 “SECTION 1083d. 85.093 of the statutes is created to read:

9 **85.093 Intermodal freight assistance.** The department may make grants
10 to public or private applicants for intermodal freight facilities that the department
11 determines have a public purpose. In the 2019–21 fiscal biennium, a grant made
12 under this section shall be paid from the appropriation under s. 20.395 (2) (bu). After
13 July 1, 2021, a grant made under this section shall be paid from the appropriation
14 under s. 20.866 (2) (uw). For the 2019–21 fiscal biennium, grants under this section
15 may not exceed \$1,500,000.”.

16 **491.** Page 675, line 14: delete “\$70,613,300” and substitute “\$65,477,800”.

17 **492.** Page 675, line 24: delete “\$18,554,800” and substitute “\$17,205,400”.

18 **493.** Page 676, line 10: delete “\$26,935,400” and substitute “\$24,976,400”.

19 **494.** Page 676, line 17: delete “\$5,707,800” and substitute “\$5,292,700”.

20 **495.** Page 676, line 20: delete the material beginning with that line and
21 ending with page 677, line 4.

22 **496.** Page 677, line 5: delete lines 5 to 17.

23 **497.** Page 677, line 17: after that line insert:

1 “**SECTION 1089m.** 85.64 of the statutes is created to read:

2 **85.64 Office of innovative program delivery. (1)** In this section:

3 (a) “Director” means the director of the office of innovative program delivery
4 attached to the department under s. 15.463 (1).

5 (b) “Office” means the office of innovative program delivery attached to the
6 department under s. 15.463 (1).

7 **(2)** The secretary shall appoint a director who has no fewer than 5 years of
8 experience in design-build project development and delivery specific to public
9 transportation or public infrastructure construction.

10 **(3)** The director shall do all of the following:

11 (a) Perform the duties and functions required under s. 84.062.

12 (b) Employ, supervise, and train personnel assigned to the office by the
13 secretary.

14 (c) Supervise all expenditures of the office.

15 **(4)** The office shall perform the duties and functions required under s. 84.062.”.

16 **498.** Page 677, line 18: delete lines 18 to 25.

17 **499.** Page 678, line 19: delete the material beginning with that line and
18 ending with page 679, line 18, and substitute:

19 “**SECTION 1095m.** 86.31 (3s) of the statutes is created to read:

20 86.31 **(3s)** DISCRETIONARY SUPPLEMENTAL GRANTS. (a) Funds provided under s.
21 20.395 (2) (fc) shall be distributed under this subsection as discretionary grants to
22 reimburse political subdivisions for improvements. The department shall solicit and
23 provide discretionary grants under this subsection until all funds appropriated
24 under s. 20.395 (2) (fc) have been expended.

1 (b) 1. From the appropriation under s. 20.395 (2) (fc), the department shall
2 allocate \$32,003,200 in fiscal year 2019-20, to fund county trunk highway
3 improvements.

4 2. From the appropriation under s. 20.395 (2) (fc), the department shall allocate
5 \$35,149,400 in fiscal year 2019-20, to fund town road improvements.

6 3. From the appropriation under s. 20.395 (2) (fc), the department shall allocate
7 \$22,847,400 in fiscal year 2019-20, to fund municipal street improvement projects.

8 (c) Notwithstanding sub. (4), a political subdivision may apply to the
9 department under this subsection for reimbursement of not more than 90 percent of
10 eligible costs of an improvement.”.

11 **500.** Page 679, line 18: after that line insert:

12 “**SECTION 1096m.** 86.315 (1) of the statutes is amended to read:

13 86.315 (1) From the appropriation under s. 20.395 (1) (fu), the department
14 shall annually, on March 10, pay to counties having county forests established under
15 ch. 28, for the improvement of public roads within the county forests which are open
16 and used for travel and which are not state or county trunk highways or town roads
17 and for which no aids are paid under s. 86.30, the amount of ~~\$336~~ \$351 per mile of
18 road designated in the comprehensive county forest land use plan as approved by the
19 county board and the department of natural resources. If the amount appropriated
20 under s. 20.395 (1) (fu) is insufficient to make the payments required under this
21 subsection, the department shall prorate the amount appropriated in the manner it
22 considers desirable.”.

23 **501.** Page 679, line 19: delete lines 19 and 20.

1 **502.** Page 679, line 24: delete the material beginning with that line and
2 ending with page 680, line 5.

3 **503.** Page 680, line 6: delete lines 6 to 18.

4 **504.** Page 680, line 19: delete the material beginning with that line and
5 ending with page 685, line 3.

6 **505.** Page 685, line 4: delete the material beginning with that line and ending
7 with page 688, line 5.

8 **506.** Page 688, line 5: after that line insert:

9 “**SECTION 1103m.** 101.02 (7y) of the statutes is created to read:

10 101.02 (7y) (a) In this subsection, “quarry” has the meaning given in s.
11 66.04135 (2) (c).

12 (b) Notwithstanding sub. (7) (a), and except as provided in this subsection and
13 s. 66.04135 (3) (c), no city, village, town, or county may make or enforce a local order
14 that limits blasting at a quarry.

15 (c) A city, village, town, or county may petition the department for an order
16 granting the city, village, town, or county the authority to impose additional
17 restrictions and requirements related to blasting on the operator of a quarry. If a city,
18 village, town, or county submits a petition under this paragraph because of concerns
19 regarding the potential impact of blasting on a qualified historic building, as defined
20 in s. 101.121 (2) (c), the department may require the operator of the quarry to pay
21 the costs of an impact study related to the qualified historic building.

22 (d) If the department issues an order under this subsection, the order may
23 grant the city, village, town, or county the authority to impose restrictions and
24 requirements related to blasting at the quarry that are more restrictive than the

1 requirements under s. 101.15 related to blasting and rules promulgated by the
2 department under s. 101.15 (2) (e) related to blasting.

3 (e) The department may not charge a fee to a city, village, town, or county in
4 connection with a petition submitted under par. (c).”.

5 **507.** Page 688, line 6: delete lines 6 to 21.

6 **508.** Page 688, line 22: delete the material beginning with that line and
7 ending with page 689, line 2.

8 **509.** Page 688, line 22: delete the material beginning with that line and
9 ending with page 689, line 2.

10 **510.** Page 689, line 13: delete the material beginning with that line and
11 ending with page 729, line 7.

12 **511.** Page 729, line 8: delete lines 8 to 14.

13 **512.** Page 729, line 15: delete the material beginning with that line and
14 ending with page 741, line 2.

15 **513.** Page 741, line 3: delete lines 3 to 14.

16 **514.** Page 741, line 15: delete that line.

17 **515.** Page 741, line 16: delete the material beginning with that line and
18 ending with page 742, line 9.

19 **516.** Page 742, line 10: delete lines 10 to 16.

20 **517.** Page 742, line 17: delete lines 17 to 23.

21 **518.** Page 742, line 24: delete that line.

22 **519.** Page 742, line 25: delete the material beginning with that line and
23 ending with page 745, line 19.

1 **520.** Page 745, line 20: delete that line.

2 **521.** Page 745, line 21: delete the material beginning with that line and
3 ending with page 746, line 5.

4 **522.** Page 746, line 6: delete that line.

5 **523.** Page 746, line 7: delete the material beginning with that line and ending
6 with page 769, line 11.

7 **524.** Page 769, line 12: delete lines 12 to 18.

8 **525.** Page 769, line 19: delete lines 19 to 23.

9 **526.** Page 769, line 24: delete the material beginning with that line and
10 ending with page 777, line 5.

11 **527.** Page 777, line 6: delete lines 6 to 15.

12 **528.** Page 777, line 16: delete that line.

13 **529.** Page 777, line 16: after that line insert:

14 “**SECTION 1325d.** 106.27 (1j) (title) of the statutes is amended to read:

15 106.27 (1j) (title) WORKFORCE TRAINING PROGRAM; GRANTS FOR MOBILE CLASSROOMS

16 AND INSTITUTIONAL JOB CENTERS.

17 **SECTION 1325h.** 106.27 (1j) (a) of the statutes is amended to read:

18 106.27 (1j) (a) Of the amounts appropriated under s. 20.445 (1) (b), the
19 department shall allocate ~~up to \$1,000,000~~ \$200,000 in the 2019-20 fiscal year and
20 \$320,000 in the 2020-21 fiscal year for grants to the department of corrections to
21 fund the creation and operation of mobile classrooms.

22 **SECTION 1325p.** 106.27 (1j) (ad) of the statutes is created to read:

1 106.27 (1j) (ad) In this paragraph, “eligible institution” means a minimum
2 security correctional institution or a medium security prison. Of the amounts
3 appropriated under s. 20.445 (1) (b), the department shall allocate \$225,000 in the
4 2019–20 fiscal year for grants to the department of corrections to fund the creation
5 and operation of institutional job centers at 6 eligible institutions and \$262,500 in
6 the 2020–21 fiscal year for grants to the department of corrections to fund the
7 creation and operation of institutional job centers at 7 eligible institutions. The
8 department of corrections may not use a grant under this paragraph to fund the
9 creation and operation of more than one institutional job center at any eligible
10 institution.”.

11 **530.** Page 777, line 16: after that line insert:

12 “**SECTION 1325m.** 106.18 of the statutes is amended to read:

13 **106.18 Youth summer jobs programs in ~~1st class cities~~.** From the
14 appropriation account under s. 20.445 (1) (fm), the department shall implement and
15 operate youth summer jobs programs in ~~1st class cities~~ this state.”.

16 **531.** Page 777, line 16: after that line insert:

17 “**SECTION 1325r.** 106.27 (1) (g) of the statutes is created to read:

18 106.27 (1) (g) Grants for programs that promote the attraction and retention
19 of personal care workers.”.

20 **532.** Page 777, line 19: after “in” insert “each year of”.

21 **533.** Page 777, line 24: delete that line.

22 **534.** Page 777, line 25: delete the material beginning with that line and
23 ending with page 778, line 17.

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535. Page 778, line 18: delete the material beginning with that line and ending with page 780, line 7, and substitute:

"SECTION 1334. 106.273 (3) (a) 1m. (intro.) of the statutes is amended to read:
106.273 (3) (a) 1m. (intro.) An incentive grant to a school district that has an industry-recognized certification program approved by the department under sub. (2) (a). Subject to ~~pars. (am) and par.~~ (b), the amount of the incentive grant under this subdivision is equal to \$1,000 for each student in the school district to whom all of the following apply:"

536. Page 779, line 11: delete the material beginning with that line and ending with page 780, line 7.

****NOTE: This provision must be reconciled with LRBb0149/P1, item 3. This amendment and LRBb0149/P1 together remove all treatments of s. 106.273 (3) (a) 1m. (intro.) from the budget.

537. Page 780, line 8: delete that line.

538. Page 780, line 9: delete lines 9 to 25.

539. Page 781, line 1: delete lines 1 to 6.

540. Page 781, line 7: delete lines 7 to 23.

541. Page 781, line 24: delete that line.

542. Page 781, line 24: delete that line.

543. Page 781, line 24: delete that line.

544. Page 781, line 25: delete the material beginning with that line and ending with page 782, line 15.

545. Page 782, line 16: delete the material beginning with that line and ending with page 783, line 11, and substitute:

Per KRP

Per CmH

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1 **"SECTION 1346b.** 106.50 (1m) (h) of the statutes is amended to read:

2 106.50 (1m) (h) "Discriminate" means to segregate, separate, exclude, or treat
3 a person or class of persons unequally in a manner described in sub. (2), (2m), or (2r)
4 because of sex, race, color, sexual orientation, disability, religion, national origin,
5 marital status, family status, status as a holder or nonholder of a license under s.
6 343.03 (3m), status as a victim of domestic abuse, sexual assault, or stalking, lawful
7 source of income, age, or ancestry."

8 **546.** Page 783, line 1: delete the material beginning with that line and ending
9 with page 785, line 5.

10 **547.** Page 785, line 14: delete lines 14 to 16.

11 **548.** Page 785, line 17: delete that line.

12 **549.** Page 785, line 18: delete the material beginning with that line and
13 ending with page 787, line 4.

14 **550.** Page 787, line 5: delete that line.

15 **551.** Page 787, line 6: delete the material beginning with that line and ending
16 with page 789, line 25.

17 **552.** Page 790, line 1: delete lines 1 to 10.

18 **553.** Page 790, line 11: delete lines 11 to 15.

19 **554.** Page 790, line 16: delete the material beginning with that line and
20 ending with page 791, line 8.

21 **555.** Page 791, line 9: delete the material beginning with that line and ending
22 with page 792, line 14.

23 **556.** Page 792, line 15: delete lines 15 to 24.

1 **557.** Page 792, line 25: delete the material beginning with that line and
2 ending with page 794, line 3.

3 **558.** Page 794, line 4: delete lines 4 to 20.

4 **559.** Page 794, line 21: delete the material beginning with that line and
5 ending with page 795, line 12.

6 **560.** Page 795, line 13: delete lines 13 to 20.

7 **561.** Page 795, line 21: delete the material beginning with that line and
8 ending with page 796, line 8.

9 **562.** Page 796, line 24: delete the material beginning with that line and
10 ending with page 797, line 22.

11 **563.** Page 797, line 23: delete that line.

12 **564.** Page 797, line 24: delete the material beginning with that line and
13 ending with page 801, line 15.

14 **565.** Page 801, line 16: delete the material beginning with that line and
15 ending with page 803, line 21.

16 **566.** Page 803, line 22: delete the material beginning with that line and
17 ending with page 804, line 11.

18 **567.** Page 804, line 12: delete the material beginning with that line and
19 ending with page 805, line 22.

20 **568.** Page 805, line 23: delete the material beginning with that line and
21 ending with page 806, line 11.

22 **569.** Page 806, line 12: delete lines 12 to 23.

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570. Page 806, line 24: delete that line and substitute:

SECTION 1412. 115.28 (10m) (b) of the statutes is amended to read:

115.28 (10m) (b) By November 30 of the first year in which the state superintendent determines that a school district is an eligible school district, as defined in s. 115.999 (1) (d), and annually thereafter, submit to the commissioner of the opportunity schools and partnership program under subch. IX X a report that identifies each school in that eligible school district that was assigned to the lowest performance category on the most recent accountability report published for the school under s. 115.385 (1) and that disaggregates the schools by elementary school, middle school, junior high school, high school, and senior high school.”.

571. Page 806, line 25: delete that line.

572. Page 807, line 1: delete lines 1 to 9.

573. Page 807, line 10: delete lines 10 to 15.

574. Page 807, line 16: delete lines 16 to 21.

575. Page 807, line 22: delete the material beginning with that line and ending with page 808, line 5.

576. Page 808, line 6: delete lines 6 to 17.

577. Page 808, line 23: delete the material beginning with that line and ending with page 809, line 3.

578. Page 809, line 4: delete lines 4 to 9.

579. Page 809, line 10: delete the material beginning with that line and ending with page 810, line 8.

580. Page 810, line 8: after that line insert:

1 **“SECTION 1425f.** 115.343 (1) of the statutes is amended to read:

2 115.343 (1) The department shall establish a school day milk program. A
3 public, private, or tribal school participating in the program shall offer each eligible
4 child one half-pint of Wisconsin-produced whole milk, 2 percent milk, 1.5 percent
5 milk, one percent milk, 0.5 percent milk, skim milk or chocolate milk on each day in
6 which school is in session. If a child is allergic to milk or has metabolic disorders or
7 other conditions which prohibit him or her from drinking milk, the child shall be
8 offered juice as a substitute. Any school that participates in the program is
9 encouraged to consider bids from local milk suppliers. The school shall keep all
10 information related to the identity of the pupils who receive a beverage under the
11 program confidential. In this subsection, “Wisconsin-produced” means that all or
12 part of the raw milk used by the milk processor was produced in this state. In this
13 section, “public, private, or tribal school” includes a charter school under s. 118.40
14 (2r) or (2x), the program under s. 115.52, the center under s. 115.525, or a residential
15 care center for children and youth, as defined in s. 115.76 (14g).”.

16 **581.** Page 810, line 9: delete lines 9 to 21.

17 **582.** Page 810, line 22: delete the material beginning with that line and
18 ending with page 811, line 2.

19 **583.** Page 811, line 3: delete the material beginning with that line and ending
20 with page 813, line 14.

21 **584.** Page 813, line 14: after that line insert:

22 **“SECTION 1437p.** 115.375 of the statutes is created to read:

23 **115.375 Grants for robot-assisted educational programs for pupils**
24 **with autism.** (1) A cooperative educational service agency may apply to the

1 department for a grant for the purpose of implementing a program that uses all of
2 the following to teach social and behavioral skills to pupils with autism spectrum
3 disorder:

4 (a) Interactive, facially-expressive humanoid robots.

5 (b) A curriculum with embedded evidence-based practices.

6 (c) Visual supports.

7 (d) Video modeling.

8 (e) An automated data collection system.

9 (f) A comprehensive curriculum facilitator.

10 (g) A pupil activity manual with extension activities.

11 **(2)** A cooperative educational service agency shall include with an application
12 under sub. (1) a proposal outlining the intended use of grant moneys and an estimate
13 of the number of pupils who will be served by the program described under sub. (1).

14 **(3)** From the appropriation under s. 20.255 (2) (bi), the department shall award
15 grants under sub. (1) to cooperative educational service agencies in amounts
16 determined by the department.

17 **(4)** A cooperative educational service agency that receives a grant under this
18 section shall use the grant moneys to develop, implement, and provide the program
19 described under sub. (1) and to purchase robotic devices and curriculum with proven
20 effectiveness for aiding in the academic, social, and emotional learning of pupils with
21 autism spectrum disorder. The cooperative educational service agency shall ensure
22 that a licensed special education teacher is present at the location where the program
23 is provided.”.

1 **585.** Page 813, line 15: delete the material beginning with that line and
2 ending with page 814, line 2.

3 **586.** Page 814, line 9: delete the material beginning with that line and ending
4 with page 815, line 5.

5 **587.** Page 815, line 6: delete the material beginning with that line and ending
6 with page 817, line 2.

7 **588.** Page 817, line 3: delete the material beginning with that line and ending
8 with page 818, line 18.

9 **589.** Page 818, line 25: delete the material beginning with that line and
10 ending with page 819, line 2, and substitute “the 2017-18 school year, by \$654 in the
11 2018-19 school year, by \$679 in the subsequent school year, and ~~by \$630~~ in each
12 school year thereafter by \$704. The department shall make the payments from the
13 appropriation under s. 20.255 (2) (aq).”.

14 **590.** Page 819, line 3: delete lines 3 to 16.

15 **591.** Page 819, line 16: after that line insert:

16 “**SECTION 1464f.** 115.439 of the statutes is created to read:

17 **115.439 Supplemental per pupil aid. (1) DEFINITIONS.** In this section:

18 (a) “Membership” means the membership used by the department to calculate
19 a school district’s aid under s. 121.08 in the current school year.

20 (b) “Number of pupils enrolled” has the meaning given in s. 115.437.

21 (c) “State aid” means aid under ss. 121.08, 121.09, and 121.105 and subch. VI,
22 as calculated for the current school year on October 15 under s. 121.15 (4) and
23 including adjustments made under s. 121.15 (4).

1 (2) ELIGIBILITY. (a) A school district is eligible for aid under this section if the
2 amount calculated under par. (b) is less than the amount calculated under par. (c).

3 (b) Divide the school district's state aid by the school district's membership.

4 (c) Subtract the per pupil amount under s. 115.437 (2) (a) for the current school
5 year from \$1,000.

6 (3) AID PAYMENTS. (a) Beginning in the 2019-20 school year and subject to par.
7 (b), annually on the 4th Monday of March, the department shall pay to each eligible
8 school district an amount calculated as follows:

9 1. Subtract the amount calculated for the eligible school district under sub. (2)
10 (b) from the amount calculated under sub. (2) (c).

11 2. Multiply the difference determined under subd. 1. by the average of the
12 number of pupils enrolled in the school district in the current and 2 preceding school
13 years.

14 (b) The department shall make the payments under par. (a) from the
15 appropriation under s. 20.255 (2) (ap). If the appropriation under s. 20.255 (2) (ap)
16 in any fiscal year is insufficient to pay the full amount under par. (a), the department
17 shall prorate the payments among the school districts entitled to aid under this
18 subsection.”.

19 **592.** Page 819, line 17: delete lines 17 to 22.

20 **593.** Page 819, line 23: delete the material beginning with that line and
21 ending with page 823, line 8.

22 **594.** Page 824, line 1: delete that line and substitute:

23 **“SECTION 1475.** 115.455 (1) (b) of the statutes is amended to read:

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the material beginning with that line and ending with page 835, line 5,

1 115.455 (1) (b) The department shall accept applications from entities
2 responding to the request-for-proposal under par. (a) and shall, ~~in the 2017-18 and~~
3 ~~2018-19 school years~~, from the appropriation under s. 20.255 (2) (eb), award a grant
4 to an entity that, subject to sub. (3), satisfies the requirements under sub. (2).”.

5 **595.** Page 824, line 2: delete lines 2 to 19.

6 **596.** Page 824, line 20: delete the material beginning with that line and
7 ending with page 825, line 7.

8 **597.** Page 825, line 8: delete lines 8 to 20.

9 **598.** Page 825, line 21: delete lines 21 to 25.

10 **599.** Page 826, line 1: delete the material beginning with that line and ending
11 with page 827, line 7.

12 **600.** Page 827, line 8: delete lines 8 to 22.

13 **601.** Page 827, line 23: delete that line.

14 **602.** Page 827, line 24: delete the material beginning with that line and
15 ending with page 828, line 7.

16 **603.** Page 828, line 8: delete that line and substitute:

17 “**SECTION 1498d.** 115.7915 (4m) (a) 3. of the statutes is amended to read:
18 115.7915 (4m) (a) 3. Beginning in the 2019-20 school year, if a private school
19 submitted a financial statement for a child with a disability under sub. (4c) in the
20 previous school year, the amount shown on the financial statement for that child for
21 the previous school year, up to 150 percent of the amount calculated under subd. 2.
22 ~~b. 4.~~ for the current school year.”.

23 **604.** Page 828, line 9: delete lines 9 to 14.

1 **605.** Page 828, line 10: delete “year,” and substitute “year and subject to subd.
2 3.”.

3 **606.** Page 828, line 15: delete lines 15 to 25.

4 **607.** Page 828, line 25: after that line insert:

5 “SECTION 1503d. 115.7915 (4m) (cm) (intro.) of the statutes is amended to read:
6 115.7915 (4m) (cm) (intro.) If a private school receives a payment under par.
7 (a) 3. and the amount shown on the financial statement submitted for the child with
8 a disability under sub. (4c) in the previous school year is greater than 150 percent
9 of the amount calculated under par. (a) ~~2.~~ 4. for the current school year, the
10 department shall pay to the private school, from the appropriation under s. 20.255
11 (2) (az), the amount determined as follows:

12 SECTION 1503f. 115.7915 (4m) (cm) 1. of the statutes is amended to read:
13 115.7915 (4m) (cm) 1. Multiply the amount calculated under par. (a) ~~2.~~ 4. for
14 the current school year by 1.5.”.

15 **608.** Page 829, line 1: delete the material beginning with that line and ending
16 with page 831, line 4.

17 **609.** Page 829, line 10: delete “the poverty line, as defined in 42 USC 9902 (2)”
18 and substitute “the poverty level determined in accordance with criteria established
19 by the director of the federal office of management and budget”.

20 **610.** Page 831, line 5: delete lines 5 to 9.

21 **611.** Page 831, line 10: delete the material beginning with that line and
22 ending with page 834, line 14.

23 **612.** Page 834, line 15: delete lines 15 and 16.

1 **613.** Page 834, line 17: delete lines 17 to 24.

2 **614.** Page 834, line 25: delete the material beginning with that line and
3 ending with page 835, line 5.

4 **615.** Page 835, line 8: delete lines 8 to 24.

5 **616.** Page 836, line 1: delete lines 1 to 7.

6 **617.** Page ~~836~~⁸³⁵, line 8: delete the material beginning with that line and ending
7 with page ~~838~~⁸⁹¹, line ~~19~~⁴.

8 **618.** Page 838, line 20: delete lines 20 and 21.

9 **619.** Page 838, line 23: delete “repealed” and substitute “renumbered
10 subchapter X (title) of chapter 115 [precedes 115.999]”.

11 **620.** Page 838, line 24: delete the material beginning with that line and
12 ending with page 840, line 18.

13 **621.** Page 840, line 19: delete lines 19 to 22.

14 **622.** Page 840, line 25: delete the material beginning with that line and
15 ending with page 841, line 4, and substitute “district, a private school participating
16 in the program under s. 118.60 or in the program under s. 119.23, and the governing
17 body of a private school that, pursuant to s. 115.999 (3), 119.33 (2) (c) 3., or 119.9002
18 (3) (c), is responsible for the operation and general management of a school
19 transferred to an opportunity schools and partnership program under s. 119.33,
20 subch. ~~IX~~ X of ch. 115, or subch. II of ch. 119 shall”.

21 **623.** Page 841, line 18: delete lines 18 to 20.

22 **624.** Page 841, line 21: delete the material beginning with that line and
23 ending with page 842, line 17.

1 **625.** Page 842, line 19: delete “~~public~~ school” and substitute “public school”.

2 **626.** Page 842, line 22: delete “~~and 118.194, and 118.197~~” and substitute
3 “118.194, and 118.197”.

4 **627.** Page 843, line 2: delete “~~public~~ school” and substitute “public school”.

5 **628.** Page 843, line 17: delete the material beginning with that line and
6 ending with page 846, line 5.

7 **629.** Page 846, line 6: delete the material beginning with that line and ending
8 with page 847, line 7.

9 **630.** Page 847, line 8: delete that line.

10 **631.** Page 847, line 9: delete lines 9 to 12.

11 **632.** Page 847, line 15: delete lines 15 to 18 and substitute “program under
12 s. 119.23 and the governing body of a private school that, pursuant to s. 115.999 (3),
13 119.33 (2) (c) 3., or 119.9002 (3) (c), is responsible for the operation and general
14 management of a school transferred to an opportunity schools and partnership
15 program under s. 119.33, subch. ~~IX~~ X of ch. 115, or subch. II of ch. 119 shall”.

16 **633.** Page 848, line 2: delete lines 2 to 5 and substitute “under s. 119.23, and
17 the governing body of a private school that, pursuant to s. 115.999 (3), 119.33 (2) (c)
18 3., or 119.9002 (3) (c), is responsible for the operation and general management of a
19 school transferred to an opportunity schools and partnership program under s.
20 119.33, subch. ~~IX~~ X of ch. 115, or subch. II of ch. 119 shall”.

21 **634.** Page 848, line 9: delete lines 9 to 13 and substitute “operates high school
22 grades and an individual or group or a person that, pursuant to s. 115.999 (3), 119.33
23 (2) (c) 1. or 2., or 119.9002 (3) (a) or (b), is responsible for the operation and general

1 management of a school transferred to an opportunity schools and partnership
2 program under s. 119.33, subch. ~~IX~~ X of ch. 115, or subch. II of ch. 119 and that
3 operates high school grades shall develop and periodically review and revise”.

4 **635.** Page 848, line 19: delete the material beginning with that line and
5 ending with page 849, line 1, and substitute “program under s. 119.23 and the
6 governing body of a private school that, pursuant to s. 115.999 (3), 119.33 (2) (c) 3.,
7 or 119.9002 (3) (c), is responsible for the operation and general management of a
8 school transferred to an opportunity schools and partnership program under s.
9 119.33, subch. ~~IX~~ X of ch. 115, or subch. II of ch. 119 shall develop and periodically
10 review and revise a policy specifying criteria for granting a high school diploma to
11 pupils attending the private school under s. 119.23 or the school transferred to an
12 opportunity schools and partnership program under s. 119.33, subch. ~~IX~~ X of ch. 115,
13 or subch. II of ch. 119. The criteria shall include the”.

14 **636.** Page 849, line 6: delete lines 6 to 19 and substitute “s. 118.40 (2r) or (2x)
15 nor an individual or group or person that, pursuant to s. 115.999 (3), 119.33 (2) (c)
16 1. or 2., or 119.9002 (3) (a) or (b), is responsible for the operation and general
17 management of a school transferred to an opportunity schools and partnership
18 program under s. 119.33, subch. ~~IX~~ X of ch. 115, or subch. II of ch. 119 may grant a
19 high school diploma to any pupil unless the pupil has satisfied the criteria specified
20 in the school board’s or charter school’s policy under subd. 1. or 2. Neither the
21 governing body of a private school participating in the program under s. 119.23 nor
22 a governing body of a private school that, pursuant to s. 115.999 (3), 119.33 (2) (c) 3.,
23 or 119.9002 (3) (c), is responsible for the operation and general management of a
24 school transferred to an opportunity schools and partnership program under s.

1 119.33, subch. ~~IX~~ X of ch. 115, or subch. II of ch. 119 may grant a high school diploma
2 to any pupil attending the private school under s. 119.23 or the school transferred
3 to an opportunity schools and partnership program under s. 119.33, subch. ~~IX~~ X of
4 ch. 115, or subch. II of ch. 119 unless the pupil has satisfied the criteria specified in
5 the”.

6 **637.** Page 849, line 24: delete the material beginning with that line and
7 ending with page 850, line 9.

8 **638.** Page 850, line 10: delete the material beginning with that line and
9 ending with page 851, line 16.

10 **639.** Page 851, line 17: delete lines 17 to 23.

11 **640.** Page 851, line 24: delete the material beginning with that line and
12 ending with page 853, line 7.

13 **641.** Page 853, line 8: delete the material beginning with that line and ending
14 with page 854, line 22.

15 **642.** Page 854, line 23: delete the material beginning with that line and
16 ending with page 855, line 10.

17 **643.** Page 855, line 11: delete the material beginning with that line and
18 ending with page 856, line 12.

19 **644.** Page 856, line 13: delete the material beginning with that line and
20 ending with page 857, line 6.

21 **645.** Page 857, line 7: delete lines 7 to 19.

22 **646.** Page 857, line 20: delete the material beginning with that line and
23 ending with page 858, line 10.

1 **647.** Page 858, line 3: delete that line.

2 **648.** Page 858, line 11: delete the material beginning with that line and
3 ending with page 859, line 7.

4 **649.** Page 859, line 8: delete lines 8 to 15.

5 **650.** Page 859, line 16: delete lines 16 to 22.

6 **651.** Page 859, line 23: delete the material beginning with that line and
7 ending with page 860, line 7.

8 **652.** Page 860, line 8: delete lines 8 to 11.

9 **653.** Page 860, line 12: delete the material beginning with that line and
10 ending with page 861, line 6.

11 **654.** Page 861, line 7: delete the material beginning with that line and ending
12 with page 862, line 21.

13 **655.** Page 862, line 22: delete the material beginning with that line and
14 ending with page 863, line 15.

15 **656.** Page 863, line 16: delete the material beginning with that line and
16 ending with page 864, line 2.

17 **657.** Page 864, line 3: delete lines 3 to 7.

18 **658.** Page 864, line 8: delete the material beginning with that line and ending
19 with page 869, line 16.

20 **659.** Page 869, line 17: delete the material beginning with that line and
21 ending with page 870, line 2.

1 **660.** Page 870, line 3: delete the material beginning with that line and ending
2 with page 871, line 22.

3 **661.** Page 871, line 23: delete the material beginning with that line and
4 ending with page 872, line 25.

5 **662.** Page 873, line 1: delete lines 1 to 22.

6 **663.** Page 873, line 23: delete the material beginning with that line and
7 ending with page 874, line 5.

8 **664.** Page 874, line 9: delete "115.447".

9 **665.** Page 874, line 10: delete "115.457".

10 **666.** Page 874, line 10: delete "115.458".

11 **667.** Page 874, line 10: delete "115.448, 115.449".

12 **668.** Page 874, line 13: delete "118.237".

13 **669.** Page 874, line 17: delete lines 17 to 20 and substitute "120.21 (3), and
14 120.25 are applicable to a 1st class city school district and board but not, unless
15 explicitly provided in this chapter or in the terms of a contract, to the commissioner
16 or to any school transferred to an opportunity schools and partnership program."

17 **670.** Page 874, line 21: delete the material beginning with that line and
18 ending with page 875, line 8.

19 **671.** Page 875, line 1: delete "115.457".

20 **672.** Page 875, line 1: delete "115.458".

1 **673.** Page 875, line 8: after “board” insert “but not, unless explicitly provided
2 in this chapter or in the terms of a contract, to the commissioner or to any school
3 transferred to an opportunity schools and partnership program”.

4 **674.** Page 875, line 9: delete the material beginning with that line and ending
5 with page 876, line 15.

6 **675.** Page 876, line 16: delete lines 16 to 19.

7 **676.** Page 876, line 20: delete the material beginning with that line and
8 ending with page 877, line 5.

9 **677.** Page 877, line 6: delete lines 6 to 25.

10 **678.** Page 878, line 1: delete the material beginning with that line and ending
11 with page 879, line 15.

12 **679.** Page 879, line 16: delete lines 16 to 22.

13 **680.** Page 879, line 23: delete the material beginning with that line and
14 ending with page 880, line 2.

15 **681.** Page 880, line 3: delete the material beginning with that line and ending
16 with page 882, line 15.

17 **682.** Page 882, line 16: delete the material beginning with that line and
18 ending with page 883, line 2.

19 **683.** Page 883, line 3: delete the material beginning with that line and ending
20 with page 884, line 22.

21 **684.** Page 884, line 23: delete the material beginning with that line and
22 ending with page 886, line 4.

1 **685.** Page 886, line 5: delete the material beginning with that line and ending
2 with page 887, line 2.

3 **686.** Page 887, line 3: delete lines 3 to 13.

4 **687.** Page 887, line 14: delete lines 14 and 15.

5 **688.** Page 887, line 19: delete lines 19 to 25 and substitute “ensuing school
6 year to operate all public schools in the city under this chapter, including the schools
7 transferred to the superintendent of schools opportunity schools and partnership
8 program under s. 119.33 and to the opportunity schools and partnership program
9 under subch. II, to repair and keep in order school buildings and equipment,
10 including school buildings and equipment transferred to the superintendent of
11 schools opportunity schools and partnership program under s. 119.33 and to the
12 opportunity schools and partnership program under subch. II, to”.

C 13 **689.** Page 888, line 10: delete that line and substitute “and by the amount
14 specified in the notice received by the board under s. 121.137 (2).”.

15 **690.** Page 888, line 19: delete the material beginning with that line and
D 16 ending with page 890, line 22.

17 **691.** Page 890, line 23: delete that line.

18 **692.** Page 890, line 24: delete the material beginning with that line and
19 ending with page 891, line 4.

20 **693.** Page 892, line 5: delete that line and substitute:

21 “**SECTION 1689.** 120.18 (1) (o) of the statutes is amended to read:

22 120.18 (1) (o) The number of pupils enrolled in each school transferred to an
23 opportunity schools and partnership program under subch. IX X of ch. 115, as